

**CITY OF SANTA BARBARA
CITY COUNCIL
REDEVELOPMENT AGENCY**

Marty Blum
Mayor/Chair
Dale Francisco
Mayor Pro Tempore/Vice Chair
Das Williams
Ordinance Committee Chair
Roger L. Horton
Finance Committee Chair
Iya G. Falcone
Grant House
Helene Schneider



James L. Armstrong
*City Administrator/
Executive Director*

Stephen P. Wiley
City Attorney/Agency Counsel

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

**OCTOBER 27, 2009
AGENDA**

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council and Redevelopment Agency meetings begin at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular Council/Redevelopment Agency meeting, and at the beginning of each special Council/Redevelopment Agency meeting, any member of the public may address them concerning any item not on the Council/Redevelopment Agency agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the Council/Redevelopment Agency. Should Council/Redevelopment Agency business continue into the evening session of a regular Council/Redevelopment Agency meeting at 6:00 p.m., the Council/Redevelopment Agency will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The Council/Redevelopment Agency, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or Council/Redevelopment Agency regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or Council/Redevelopment Agency.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the Council/ Redevelopment Agency. A Consent Calendar item is open for discussion by the Council/Redevelopment Agency upon request of a Council/Agency Member, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council/Redevelopment Agency considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular Council meeting is broadcast live in English and Spanish on City TV Channel 18, and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 1:00 p.m. - Special Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 2:00 p.m. - City Council Meeting
- 2:00 p.m. - Redevelopment Agency Meeting

SPECIAL FINANCE COMMITTEE MEETING - 1:00 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

1. Subject: September 30, 2009, Investment Report And September 30, 2009, Fiscal Agent Report

Recommendation: That the Finance Committee recommend that Council:

- A. Accept the September 30, 2009, Investment Report; and
 - B. Accept the September 30, 2009, Fiscal Agent Report.
- (See Council/Redevelopment Agency Agenda Item No. 7)

2. Subject: Fiscal Year 2009 General Fund Final Balancing And Adjustments

Recommendation: That the Finance Committee recommend that Council approve the adjustments to the Fiscal Year 2009 budget as shown in the Summary of Proposed Budget Adjustments in connection with the final balancing of Fiscal Year 2009.

(See Council/Redevelopment Agency Agenda Item No. 12)

**REGULAR CITY COUNCIL MEETING – 2:00 P.M.
SPECIAL REDEVELOPMENT AGENCY MEETING – 2:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

CITY COUNCIL

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of October 1, 2009.

2. Subject: Amendment To Solid Waste Rates For The Business Sector (630.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 09-043, Establishing Certain City Fees Including Water and Wastewater Rates, to Establish New Rates for the Collection of Recyclables, Greenwaste, Foodscrap and Trash for Businesses Within the City of Santa Barbara.

3. Subject: Sole Source Vendor For The MyRide Bus Pass Program (150.05)

Recommendation: That Council:

- A. Authorize the City's General Services Manager to issue a Purchase Order to the Metropolitan Transit District (MTD) in the amount of \$165,000 pursuant to the Sole Source provisions of Santa Barbara Municipal Code Section 4.52.070 (K) in order to fund the cost of rides taken under the City's Bus Pass Programs for Fiscal Year 2010; and

(Cont'd)

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

3. (Cont'd)

- B. Authorize the City's General Services Manager to issue Purchase Orders and Change Orders to MTD for four consecutive years, for the 90-Day and MyRide Bus Pass Programs (MyRide), in amounts not to exceed the annual appropriated budget for the Programs, as approved by City Council.

4. **Subject: Approval Of Emergency Purchase Order For Alamar Street Bridge Repairs (530.04)**

Recommendation: That Council:

- A. Retroactively approve the City's issuance of an emergency Purchase Order to Granite Construction Company in their low bid amount of \$80,382 for the Alamar Street Bridge Repair Project (Project), Bid No. 4947; and
- B. Authorize the Public Works Director to approve expenditures of up to \$45,000 for required extra work to divert water in Mission Creek from the work area and differences between estimated bid quantities and actual quantities measured for payment.

5. **Subject: Administrative Citation Program Unpaid Fines Certification (640.09)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying the Amounts of Liens/Special Assessments Sought to be Collected from Property Owners for Unpaid Administrative Fines.

6. **Subject: Appropriation Of Fiscal Year 2010 American Re-Investment And Recovery Act Of 2009 (ARRA) Funds For Homelessness Prevention And Rapid Re-Housing And Community Development Block Grant Recovery (660.04)**

Recommendation: That Council:

- A. Increase appropriations and estimated revenues by \$1,200,000 in the Miscellaneous Grants Fund for the Homelessness Prevention and Rapid Re-Housing ARRA grant from the State Department of Housing and Community Development to fund the City of Santa Barbara Homelessness Prevention and Rapid Re-Housing Collaborative; and
- B. Increase appropriations and estimated revenues by \$289,274 in the Community Development Block Grant Fund for the Community Development Block Grant ARRA grant from the U.S. Department of Housing and Urban Development to fund three City projects.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

7. Subject: September 30, 2009, Investment Report And September 30, 2009, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the September 30, 2009, Investment Report; and
- B. Accept the September 30, 2009, Fiscal Agent Report.

NOTICES

- 8. The City Clerk has on Thursday, October 22, 2009, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
- 9. Cancellation of the regular City Council and Redevelopment Agency meetings of November 3, 2009.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

REDEVELOPMENT AGENCY REPORTS

10. Subject: Amended Redevelopment Agency Fiscal Year 2010 Capital Program

Recommendation: That the Redevelopment Agency Board:

- A. Consider funding allocations to the Redevelopment Agency Capital Program totaling \$1,519,000 and approve the project recommendations for the amended Fiscal Year 2010 Capital Program;
- B. Reprogram \$1,403,758 previously set aside in the Agency's Fiscal Year 2009 ERAF Fund and allocate \$1,403,758 as part of the \$1,519,000 outlined in the amended Capital Program for Fiscal Year 2010; and
- C. Increase appropriations by \$115,242 in the Agency's General Fund from unappropriated reserves and allocate these funds as part of the \$1,519,000 outlined in the Amended Capital Program for Fiscal Year 2010.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

11. Subject: Human Services And Community Development Block Grant Funding Application Release (230.06)

Recommendation: That Council:

- A. Review and provide input and direction on the current Community Development and Human Services Committee (CDHSC) program funding criteria and priorities for Fiscal Year 2011 Human Services and Community Development Block Grant funding decisions;
- B. Authorize staff to release the Fiscal Year 2011 funding application along with the committee review process and schedule for review of those applications; and
- C. Establish a funding commitment from the Fiscal Year 2011 General Fund in the amount of \$703,256 for the Human Services Program.

FINANCE DEPARTMENT

12. Subject: Fiscal Year 2009 General Fund Final Balancing And Adjustments (230.05)

Recommendation: That Council approve the adjustments to the Fiscal Year 2009 budget as shown in the Summary of Proposed Budget Adjustments in connection with the final balancing of Fiscal Year 2009.

PUBLIC HEARINGS

13. Subject: Appeal Of The Fire And Police Commission's Approval With Conditions Of The Nightclub Dance Permit Renewal For Velvet Jones (520.01)

Recommendation: That Council deny the appeal of Craig Jenkins and uphold the Fire and Police Commission's decision to approve the nightclub dance permit renewal with certain conditions for Velvet Jones at 423 State Street.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

14. Subject: Fire Chief Appointment (440.05)

Recommendation: That Council hold a closed session, pursuant to Section 54957 of the Government Code, to consider a public employee appointment.

Title: Fire Chief

Scheduling: Duration, 20 minutes; anytime

Report: Anticipated

ADJOURNMENT

CITY OF SANTA BARBARA
FINANCE COMMITTEE
SPECIAL MEETING AGENDA

DATE: October 27, 2009

TIME: 1:00 p.m.

PLACE: David Gebhard Public Meeting Room
630 Garden Street

Roger L. Horton, Chair

Helene Schneider

Iya Falcone

James L. Armstrong

City Administrator

Robert Samario

Interim Finance Director

ITEMS TO BE CONSIDERED:

1. Subject: September 30, 2009, Investment Report And September 30, 2009, Fiscal Agent Report

Recommendation: That the Finance Committee recommend that Council:

A. Accept the September 30, 2009, Investment Report; and

B. Accept the September 30, 2009, Fiscal Agent Report.

(See Council/Redevelopment Agency Agenda Item No. 7)

2. Subject: Fiscal Year 2009 General Fund Final Balancing And Adjustments

Recommendation: That the Finance Committee recommend that Council approve the adjustments to the Fiscal Year 2009 budget as shown in the Summary of Proposed Budget Adjustments in connection with the final balancing of Fiscal Year 2009.

(See Council/Redevelopment Agency Agenda Item No. 12)



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING October 1, 2009 DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Planning Commission to order at 8:37 a.m.

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Mayor Blum.

Councilmembers absent: Grant House, Helene Schneider, Das Williams.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

Planning Commissioners present: Bruce Bartlett, Sheila Lodge, Addison Thompson, Chair Stella Larson.

Planning Commissioners absent: Charmaine Jacobs, John C. Jostes, Harwood White, Jr.

PUBLIC COMMENT

No one wished to speak.

NOTICES

The City Clerk has on Friday, September 25, 2009, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

WORK SESSIONS

Subject: Joint Council And Planning Commission Work Session: Planning Division Work Program Activities (650.01)

Recommendation: That Council hold a joint work session with the Planning Commission to receive status reports and discuss major work program activities in the Planning Division, including the Plan Santa Barbara - General Plan Update, special assignments such as ordinance amendments, and possible implications on workload priorities, ideas for process changes, and other measures due to budget adjustments being considered for Fiscal Year 2011.

Documents:

October 1, 2009, report from the Community Development Director.

Speakers:

- Staff: City Planner Bettie Weiss, Principal Planner John Ledbetter, City Attorney Stephen Wiley.
- Single Family Design Board: Member Berni Bernstein.
- Members of the Public: Connie Hannah, Santa Barbara League of Women Voters.

Councilmember Williams entered the meeting at 8:39 a.m. Planning Commissioner White entered the meeting at 8:40 a.m. Planning Commissioner Jacobs entered the meeting at 8:55 a.m. Councilmember Schneider entered the meeting at 9:12 a.m.

Discussion:

City Planner Bettie Weiss provided an overview of the items to be discussed during the work session. Principal Planner John Ledbetter provided a status report on Plan Santa Barbara. Staff responded to questions from the Councilmembers and Planning Commissioners.

City Planner Bettie Weiss reported on current projects and workload. She also spoke about budget implications for Fiscal Year 2011, including possible changes that are being reviewed in an effort to reduce costs. Councilmembers and Planning Commissioners made comments and/or asked questions which were responded to by staff.

Councilmember Williams left the meeting at 11:10 a.m.

ADJOURNMENT

Mayor Blum adjourned the meeting at 11:17 a.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

		ATTEST:	
_____			_____
MARTY BLUM			BRENDA ALCAZAR, CMC
MAYOR			DEPUTY CITY CLERK



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: Environmental Services Division, Finance Department

SUBJECT: Amendment To Solid Waste Rates For The Business Sector

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 09-043, Establishing Certain City Fees, Including Water and Wastewater Rates, to Establish New Rates for the Collection of Recyclables, Greenwaste, Foodscrap and Trash for Businesses Within the City of Santa Barbara.

DISCUSSION:

On October 13, 2009 City Council conducted a public hearing on the proposed new rates for trash, recycling, greenwaste and foodscrap collection services in the City's business sector pursuant to state law. There were no public comments during the hearing. In addition, the City received only one letter of protest.

The new rates are designed to: 1) increase financial incentives for businesses to recycle more and dispose of less, 2) create new rates for the Foodscrap Recovery and Composting program in the business sector, and 3) to enable business customers to better understand and self-audit the charges shown on their utility bills and discern the financial incentives that have been created to divert materials from landfill disposal. The new rates also correct several anomalies in the existing rate structure that can create disincentives for businesses to recycle more. This new proposed rate structure is for the business sector only.

Staff recommends that the City Council adopt the rate resolution to establish new rates for the collection of recyclables, greenwaste, foodscrap and trash in the business sector. The rates will become effective November 1, 2009.

BUDGET/FINANCIAL INFORMATION:

The proposed new business rates have been designed to be revenue neutral and pose no material financial impacts to the City or the contracted haulers.

SUSTAINABILITY IMPACTS:

Recycling municipal solid waste and the City's related efforts to divert material from landfill disposal have considerable beneficial impacts to the environment. The proposed new business rates contain increased financial incentives for business customers to divert recyclable, compostable and/or reusable materials from the trash. The United States Environmental Protection Agency has acknowledged and developed metrics that provide clear evidence of reduced greenhouse gas emissions through composting and recycling, which result in the creation of products using recycled feedstocks versus using virgin, natural resources. Establishing new rates for the business sector is a component of the Solid Waste Strategic Plan and contributes to the City's goal of becoming a more sustainable community.

PREPARED BY: Stephen MacIntosh, Environmental Services Supervisor

SUBMITTED BY: Robert Samario, Interim Finance Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. 09-_____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING RESOLUTION NO. 09-043, ESTABLISHING CERTAIN CITY FEES, INCLUDING WATER AND WASTEWATER RATES, TO ESTABLISH NEW RATES FOR THE COLLECTION OF RECYCLABLES, GREENWASTE, FOODSCRAPS AND TRASH FOR BUSINESSES WITHIN THE CITY OF SANTA BARBARA

WHEREAS, the Council of the City of Santa Barbara adopted the 2005 Solid Waste Strategic Plan, which contains the City's goals of maximizing diversion from landfill disposal and becoming the Recycling Leader of the State of California;

WHEREAS, the California Integrated Waste Management Act of 1989 (AB 939) mandates the City of Santa Barbara to reduce the amount of solid waste going to landfills by 50%;

WHEREAS, the City attained a non-certified 69% diversion rate for the calendar year 2008;

WHEREAS, the City is expanding recycling programs targeted at the business waste stream;

WHEREAS, the City is developing and implementing new recycling and diversion programs to further Council's goal of 70% diversion by 2010;

WHEREAS, by Ordinance No. 5279, adopted on July 1, 2003, the Council of the City of Santa Barbara authorized the adjustment of solid waste collection rates by resolution; and

WHEREAS, the Council hereby determines and finds that the setting of such fees and rates is exempt from compliance with the California Environmental Quality Act (CEQA) under Public Resources Code, Section 21080 (b) (8) and Title 14 of the California Code of Regulations, Section 15273 (a) (1) & (2).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. That page 118 of Resolution No. 09-043 establishing certain City fees, including water and wastewater rates, be rescinded and replaced with the schedule of monthly business sector solid waste collection rates attached hereto as Exhibit A, establishing new rates for the collection of recyclables, greenwaste, foodscraps and trash for businesses within the City of Santa Barbara.

SECTION 2. That, commencing with the monthly billings dated November 1, 2009, the Franchised Haulers shall charge no more for services rendered pursuant to the Agreements than provided for in the schedule of monthly business sector solid waste collection rates attached hereto as the Exhibit.

CITY OF SANTA BARBARA
MONTHLY BUSINESS SECTOR SOLID WASTE COLLECTION RATES
EFFECTIVE NOVEMBER 1, 2009

Business Collection Services-Monthly Rates

Container Type			Number of Collections per Week						Extra Pickup
			1x/wk	2x/wk	3x/wk	4x/wk	5x/wk	6x/wk	
Foodscraps	32 gallon	Cart	\$1.60	\$3.21	\$4.81	\$6.42	\$8.02	\$9.62	\$0.40
Foodscraps	64 gallon	Cart	\$3.21	\$6.42	\$9.62	\$12.83	\$16.03	\$19.24	\$0.80
Foodscraps	1.5 cubic yard	Dumpster	\$15.72	\$33.01	\$50.30	\$67.60	\$84.89	\$102.18	\$3.93
Foodscraps	2 cubic yard	Dumpster	\$20.93	\$43.95	\$66.98	\$90.00	\$113.03	\$136.05	\$5.23
Foodscraps	3 cubic yard	Dumpster	\$31.35	\$65.84	\$100.33	\$134.82	\$169.31	\$203.80	\$7.84
Foodscraps	4 cubic yard	Dumpster	\$41.78	\$87.73	\$133.68	\$179.63	\$225.59	\$271.54	\$10.45
Greenwaste	32 gallon	Can	\$1.60	\$3.21	\$4.81	\$6.42	\$8.02	\$9.62	\$0.40
Greenwaste	32 gallon	Cart	\$1.60	\$3.21	\$4.81	\$6.42	\$8.02	\$9.62	\$0.40
Greenwaste	64 gallon	Cart	\$3.21	\$6.42	\$9.62	\$12.83	\$16.03	\$19.24	\$0.80
Greenwaste	96 gallon	Cart	\$4.81	\$9.62	\$14.44	\$19.24	\$24.05	\$28.86	\$1.20
Greenwaste	1.5 cubic yard	Dumpster	\$15.72	\$33.01	\$50.30	\$67.60	\$84.89	\$102.18	\$3.93
Greenwaste	2 cubic yard	Dumpster	\$20.93	\$43.95	\$66.98	\$90.00	\$113.03	\$136.05	\$5.23
Greenwaste	3 cubic yard	Dumpster	\$31.35	\$65.84	\$100.33	\$134.82	\$169.31	\$203.80	\$7.84
Greenwaste	4 cubic yard	Dumpster	\$41.78	\$87.73	\$133.68	\$179.63	\$225.59	\$271.54	\$10.45
Recycling	32 gallon	Can	\$1.60	\$3.21	\$4.81	\$6.42	\$8.02	\$9.62	\$0.40
Recycling	32 gallon	Cart	\$1.60	\$3.21	\$4.81	\$6.42	\$8.02	\$9.62	\$0.40
Recycling	64 gallon	Cart	\$3.21	\$6.42	\$9.62	\$12.83	\$16.03	\$19.24	\$0.80
Recycling	96 gallon	Cart	\$4.81	\$9.62	\$14.44	\$19.24	\$24.05	\$28.86	\$1.20
Recycling	1.5 cubic yard	Dumpster	\$15.72	\$33.01	\$50.30	\$67.60	\$84.89	\$102.18	\$3.93
Recycling	2 cubic yard	Dumpster	\$20.93	\$43.95	\$66.98	\$90.00	\$113.03	\$136.05	\$5.23
Recycling	3 cubic yard	Dumpster	\$31.35	\$65.84	\$100.33	\$134.82	\$169.31	\$203.80	\$7.84
Recycling	4 cubic yard	Dumpster	\$41.78	\$87.73	\$133.68	\$179.63	\$225.59	\$271.54	\$10.45
Trash	32 gallon	Can	\$20.28	\$40.55	\$60.83	\$81.11	\$101.38	\$121.66	\$5.07
Trash	32 gallon	Cart	\$20.28	\$40.55	\$60.83	\$81.11	\$101.38	\$121.66	\$5.07
Trash	64 gallon	Cart	\$40.55	\$81.11	\$121.66	\$162.21	\$202.76	\$243.32	\$10.14
Trash	96 gallon	Cart	\$60.83	\$121.66	\$182.49	\$243.32	\$304.15	\$364.96	\$15.20
Trash	1.5 cubic yard	Dumpster	\$104.80	\$220.08	\$335.36	\$450.65	\$565.93	\$681.22	\$26.20
Trash	2 cubic yard	Dumpster	\$139.55	\$293.04	\$446.54	\$600.03	\$753.54	\$907.03	\$34.88
Trash	3 cubic yard	Dumpster	\$209.02	\$438.95	\$668.88	\$898.80	\$1,128.73	\$1,358.66	\$52.25
Trash	4 cubic yard	Dumpster	\$278.50	\$584.87	\$891.22	\$1,197.58	\$1,503.93	\$1,810.29	\$69.63
Trash Compacted	1.5 cubic yard	Dumpster	\$314.41	\$660.25	\$1,006.09	\$1,351.95	\$1,697.79	\$2,043.64	\$78.61
Trash Compacted	2 cubic yard	Dumpster	\$418.63	\$879.12	\$1,339.61	\$1,800.10	\$2,260.60	\$2,721.08	\$104.66
Trash Compacted	3 cubic yard	Dumpster	\$627.07	\$1,316.85	\$2,006.63	\$2,696.41	\$3,386.19	\$4,075.98	\$156.76

Dumpster Credits and Services			Number of Collections per Week						Flat Rate
			1x/wk	2x/wk	3x/wk	4x/wk	5x/wk	6x/wk	
Trash Service	credit for customer-owned dumpster								-\$42.81
Diversion Services	credit for customer-owned dumpster								-\$28.64
Dumpster push out, more than 25'			\$5.97	\$11.95	\$17.92	\$23.89	\$29.86	\$35.84	

- Dumpster Rental is included in price of service. Customers with their own dumpster will receive a credit.
- Trash services in carts/can includes 96 gallons free recycling and 96 gallons free green waste per week.
- Customers sharing dumpsters will each be billed for their portion of use.
- Cans and carts will be serviced in place, from regular location or enclosure.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Sole Source Vendor For The MyRide Bus Pass Program

RECOMMENDATION: That Council:

- A. Authorize the City's General Services Manager to issue a Purchase Order to the Metropolitan Transit District (MTD) in the amount of \$165,000 pursuant to the Sole Source provisions of Santa Barbara Municipal Code Section 4.52.070 (K) in order to fund the cost of rides taken under the City's Bus Pass Programs for Fiscal Year 2010; and
- B. Authorize the City's General Services Manager to issue Purchase Orders and Change Orders to MTD for four consecutive years, for the 90-Day and MyRide Bus Pass Programs (MyRide), in amounts not to exceed the annual appropriated budget for the Programs, as approved by City Council.

DISCUSSION:

On November 9, 2004, Council authorized the General Services Manager to issue Purchase Orders to the Santa Barbara MTD to pay for the costs of bus rides under the City's Downtown Employee Bus Pass Program. Even though MTD is the only transit provider in the South County, and is therefore the "sole source" of the bus passes, the Municipal Code requires that this authorization be renewed in order to continue issuing purchase orders to MTD through June 30, 2014.

For Fiscal Year 2010, the Council continued funding for MyRide bus passes for City employees participating in the City's Work Trip Reduction Incentive Program (Work TRIP) Program and non-City employees who are participating in the 90 day MyRide Bus Pass Program. Under the 90-Day MyRide Bus Pass program, the participants pay the City \$55 per pass which is equal to one month of transit service and the City covers the additional two months of transit service. However, due to budget constraints, the 90-Day Bus Pass Program for non-City, downtown employees will be phased out this calendar year. Funding for the City employees' participation for subsequent years will be reviewed by Council in connection with the development of the budgets in those years.

BUDGET/FINANCIAL INFORMATION:

Funding for MyRide bus passes is included in the Downtown Parking Operating Budget for Fiscal Year 2010. In Fiscal Year 2009, the MyRide programs netted 91,100 trips and cost Downtown Parking \$147,052.50. For Fiscal Year 2010, the My-Ride program for non-City employees will be terminated on December 31, 2009, resulting in a 50% reduction for non-City employee costs or approximately \$60,000. Cost for City employees will be approximately \$36,000 for Fiscal Year 2010. Costs will be based on actual usage and are not to exceed the \$165,000 budgeted for Fiscal Year 2010.

SUSTAINABILITY IMPACT:

City employees using the MyRide bus pass contribute to the City's overall effort to reduce its carbon footprint by reducing the number of single occupant vehicle trips to and from the City. In Fiscal Year 2009, 20,097 city employee trips were mitigated by the City employee MyRide program.

PREPARED BY: Browning Allen, Transportation Manager/VG/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Emergency Purchase Order For Alamar Street Bridge Repairs

RECOMMENDATION: That Council:

- A. Retroactively approve the City's issuance of an emergency Purchase Order to Granite Construction Company in their low bid amount of \$80,382 for the Alamar Street Bridge Repair Project (Project), Bid No. 4947; and
- B. Authorize the Public Works Director to approve expenditures of up to \$45,000 for required extra work to divert water in Mission Creek from the work area and differences between estimated bid quantities and actual quantities measured for payment.

DISCUSSION:

The Jesusita Fire burned large amounts of the watersheds that lie above the City. It is projected that, with the sparsely vegetated watersheds, higher than normal flows during rain events could occur this season. In the weeks following the fire, the City and County of Santa Barbara (County) worked collectively to identify needed channel and bridge work necessary to accommodate the potential high flow from City watersheds.

This work consists of protection for the foundation of the Mission Creek Alamar Street Bridge, located just off the corner of State Street and Alamar (Attachment), and channel clearing in order to increase the bridge's flood water conveyance capacity. With assistance from Santa Barbara County Flood Control District, staff determined that a significant amount of channel capacity was taken by grouted rip-rap slopes on the underside of the bridge. Upon closer inspection, the grouted rock side slope was notably being undercut by the water current of Mission Creek.

In response, City staff determined it was essential to increase channel capacity and further protect the bridge from the adverse effects of increased runoff that could compromise the bridge foundation. Public Works Department staff worked collaboratively with Bengal Engineering, the City's Creeks Division and County Flood

Control throughout the month of August 2009 to develop a design to provide scour protection and increase channel capacity. When the design was completed, staff worked with the City's Purchasing Office and obtained quick quotes from three local contractors on September 9, 2009. Two contractors submitted quotes and an emergency Purchase Order was issued to the lowest bidder, Granite Construction Company.

Construction commenced on October 8, 2009, and is ongoing. During construction, and as a result of the rain event on October 13 and 14, additional work was identified. This work is the result of the need to remove additional materials from the work site (\$35,777), and the need to divert water from the work area due to runoff from the recent rain (\$9,223). The total cost for this additional work is estimated to be \$45,000.

The issuance of an emergency Purchase Order is authorized by Municipal Code Section 4.52.080. This emergency Purchase Order was necessary to get the Project delivered in advance of the anticipated rain season. The work requires the contractor to enter Mission Creek and comply with permits issued to the County for the work from various regulatory federal and state agencies.

CONTRACT BIDS

A total of two bids were received for the subject work, ranging as follows:

	<u>BIDDER</u>	<u>BID AMOUNT</u>
1.	Granite Construction Company Santa Barbara	\$80,382
2.	Lash Construction, Inc. Santa Barbara	\$123,780

The Engineer's estimate was \$75,000.

BUDGET/FINANCIAL INFORMATION:

This Project is funded by Utility Users Tax and Measure D revenues. There are sufficient funds in the Streets Capital Fund to cover the cost of this Project. The construction contract is funded primarily by using capital funds appropriated in Fiscal Year 2010 for bridge preventative maintenance.

The following summarizes the expenditures for this project:

ESTIMATED TOTAL PROJECT COST

Contract	Amount
City Staff	\$5,000
Bengal Engineering (Design)	\$10,000
Granite Construction (Construction)	\$125,382
TOTAL AMOUNT	\$140,382

ATTACHMENT: Project Location Map

PREPARED BY: John Ewasiuk, Principal Civil Engineer/TC/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



ALAMAR STREET BRIDGE

at Mission Creek

DATE: 10/22/2009



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: Building & Safety Division, Community Development Department

SUBJECT: Administrative Citation Program Unpaid Fines Certification

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying the Amounts of Liens/Special Assessments sought to be collected from Property Owners for Unpaid Administrative Fines.

DISCUSSION:

On July 13, 1999, City Council adopted the Administrative Citation Ordinance (Ordinance No. 5113 establishing Chapter 1.25 of the Municipal Code), which is used to impose and collect civil administrative fines for Municipal Code violations. On April 1, 2003, City Council adopted Ordinance No. 5272 amending Chapter 1.25 of the Municipal Code.

The Administrative Citation Program has continued to be an effective tool in gaining compliance with City regulations relating to unpermitted construction, substandard housing, illegal dwelling units, outdoor dining violations, sign violations, outdoor merchandising, illegal wastewater disposal, garbage service violations, and stormwater and illegal discharges.

In June 2006, the City of Santa Barbara was told by the County Assessor's office that they would no longer be participating in the Property Assessment Lien Program. As such, the County no longer adds the City's administrative citation assessments to property tax billing. Based on this change in circumstance, the administrative citation assessments are now submitted to City Council pursuant to Santa Barbara Municipal Code sections 1.25.130B and 1.25.130C for certification and collection. After certification by City Council, the City Attorney's office files a lien against the property for fines of \$5,000 or more, and fines of less than \$5,000 are sent to a collection agency for recovery.

Delinquent property owners have received notice in accordance with Santa Barbara Municipal Code Section 1.25.060 and have been provided full opportunity to pay their fines. The list of properties with delinquent fines is an exhibit to the Resolution

accompanying this report, and was prepared on October 12, 2009. We expect that some of those on the list will pay their fines before the October 27, 2009 Council meeting. The final list of delinquent property owners will be prepared on October 26, 2009, and submitted to the City Clerk's Office prior to that office confirming the Resolution.

Once the City Council adopts the Resolution, the City Attorney's Office will file a lien on each property with outstanding fines of \$5,000 or more, and the Community Development Department will send all property owners owing less than \$5,000 to a collection agency.

PREPARED BY: Larry Cassidy, Building Inspector / Plan Check Supervisor

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA CERTIFYING THE AMOUNTS OF
LIENS/SPECIAL ASSESSMENTS SOUGHT TO BE
COLLECTED FROM PROPERTY OWNERS FOR UNPAID
ADMINISTRATIVE FINES

WHEREAS, On July 13, 1999, the City Council of the City of Santa Barbara adopted the Administrative Citation Ordinance (Ordinance No. 5113), which established Chapter 1.25 of Title One of the Santa Barbara Municipal Code (hereinafter "Municipal Code") and provides for the imposition and collection of civil administrative fines for Code violations, and on April 1, 2003, the City Council adopted Ordinance No. 5272 amending Chapter 1.25 of the Municipal Code;

WHEREAS, Chapter 1.25 of the Municipal Code directs the City to continue to seek voluntary compliance by property owners and businesses with the Santa Barbara Municipal Code;

WHEREAS, said Chapter further authorizes the City of Santa Barbara to impose and collect civil administrative fines in conjunction with violations of the Municipal Code when property owners and businesses do not voluntarily comply with the Municipal Code;

WHEREAS, said Chapter further authorizes the City to recover any delinquent administrative fines as a lien or special assessment on the real property provided the fine against the property owner is sixty (60) days or more delinquent, and provided that the City Council of the City of Santa Barbara adopt a resolution certifying the amounts of the liens/special assessments; and

WHEREAS, certain property owners, identified on the list attached hereto as the Exhibit, have received notice of administrative fines in accordance with the provisions of Santa Barbara Municipal Code Section 1.25.050 and are now delinquent by at least sixty (60) days in payment of administrative fines.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA RESOLVES THAT:

The list attached hereto as the Exhibit and setting forth the property owners who are now delinquent at least sixty (60) days in payment of administrative fines, the amount of said fines to be imposed as liens/special assessments, and the related property addresses and Assessor's Parcel Numbers is hereby certified as true and correct.

Property Owners Who Have Outstanding Fines Delinquent 60 Days or More

	Revision Date:	10/21/2009								
AR Acnt #	Property Owner	Mailing Address	City	State	Zip	Violation Address	Parcel	Case Number	Dept.or Div.	Amount Due
CV-000313	RAYMUNDO JACINTO	2088 NEW CASTLE DR	OXNARD	CA	93036	1715 THOMAS AVE	043-193-009	MUNI CODE	PUBLIC WORKS	\$800.00
CV-000334	PUEBLO VIEJO PROPERTIES LTD	1933 CLIFF DR #2	SANTA BARBARA	CA	93109	128 E. CANON PERDIDO	031-011-004	ENF03-00368	COMM DEV	\$12,500.00
CV-000354	FRANCISCO/EUGENIA ANDRADE	432 E HALEY ST	SANTA BARBARA	CA	93103	432 E. HALEY ST	031-283-010	ENF05-00047	COMM DEV	\$3,000.00
CV-000412	EMA E PHILLIPS	301 N SOLEDAD ST	SANTA BARBARA	CA	93103	301 N. SOLEDAD ST	031-382-010	ENF06-00399	PUBLIC WORKS	\$20.00
CV-000416	ANNETTE M STUART, TTEE	811 W MISSION ST	SANTA BARBARA	CA	93101	811 W MISSION ST	043-121-007	ENF06-00221	COMM DEV	\$3,200.00
CV-000484	GENEVIEVE ZARAGOSA	922 N MILPAS ST	SANTA BARBARA	CA	93103	922 N. MILPAS ST	029-314-016	ENF07-00890	COMM DEV	\$8,000.00
CV-000488	JOSEPH P MUNCH	18 E ARRELLAGA ST	SANTA BARBARA	CA	93101	16 E ARRELLAGA ST	027-232-003	ENF06-00409	COMM DEV	\$300.00
CV-000501	KRISTI ELLMAN	1705 VILLA AV	SANTA BARBARA	CA	93109	1705 VILLA AVE	043-181-009	ENF07-01208	COMM DEV	\$100.00
CV-000517	ENRIQUE CHAVEZ C/O KRISTI RUIZ	1705 VILLA AV	SANTA BARBARA	CA	93101	621 DEL MONTE AVE	037-022-005	ENF07-00387	COMM DEV	\$8,000.00
CV-000519	THOMAS MORAN	935 CARRILLO RD	SANTA BARBARA	CA	93103	935 CARRILLO RD	029-262-013	ENF05-01013	COMM DEV	\$6,400.00
CV-000520	LUERA FAMILY TRUST	1632 ORAMAS RD	SANTA BARBARA	CA	93103	1627 ANACAPA ST	027-182-007	ENF07-01100	COMM DEV	\$7,500.00
CV-000521	BERTOLDO C SANCHEZ	1719 PAMPAS AV	SANTA BARBARA	CA	93101	1719 PAMPAS AV	043-173-008	ENF08-00055	COMM DEV	\$5,000.00
CV-000525	THOMAS/KATHLEEN MATHESON	3816 CALLE CITA	SANTA BARBARA	CA	93110	3816 CALLE CITA	057-144-009	ENF07-01285	COMM DEV	\$600.00
CV-000546	CHRISTOPHER LYNN CADWELL, TTST	5645 SANTA ROSA RD	LOMPOC	CA	93436	535 OLIVE ST	031-212-005	ENF08-00335	COMM DEV	\$4,500.00
CV-000556	PHILINDIA PROPERTIES	2958 STATE ST	SANTA BARBARA	CA	93105	901 N MILPAS ST	029-313-010	ENF08-00455	COMM DEV	\$400.00
CV-000560	DONALD HIGLEY	4981 FOOTHILL PL	CARPINTERIA	CA	93013	612 N MILPAS ST	031-183-021	ENF08-00341	COMM DEV	\$100.00
CV-000561	DONALD HIGLEY	4981 FOOTHILL PL	CARPINTERIA	CA	93013	610 N MILPAS	031-183-021	ENF08-00342	COMM DEV	\$400.00
CV-000572	GRACIELA VALLE	1029 E COTA ST	SANTA BARBARA	CA	93109	1029 E COTA ST	031-185-013	ENF08-00237	COMM DEV	\$7,500.00
CV-000573	ALVARO/JENNIE PEREZ	410 RUTH AV	SANTA BARBARA	CA	93101	410 RUTH AV	037-071-010	ENF07-01200	COMM DEV	\$3,000.00
CV-000579	PETER GEWANT	1399 SYCAMORE CANYON RD	SANTA BARBARA	CA	93108	1399 SYCAMORE CANYON RD	019-340-048	ENF08-00484	COMM DEV	\$100.00
CV-000623	MACLAND INVESTMENTS	5960 CANOGA AV	WOODLAND HILLS	CA	91367	401 W MONTECITO ST	033-022-020	ENF08-01037	COMM DEV	\$100.00
CV-000626	KENNETH JAMES	P O BOX 40608	SANTA BARBARA	CA	93140	130 N CALLE CESAR CHAVEZ	017-010-049	ENF08-00599	COMM DEV	\$4,500.00
CV-000671	PETER GEWANT	1399 SYCAMORE CANYON RD	SANTA BARBARA	CA	93108	1399 SYCAMORE CANYON RD	019-340-048	ENF08-01141	COMM DEV	\$7,500.00
CV-000678	MARC F JONES	715 STATE ST	SANTA BARBARA	CA	93101	1035 CIMA LINDA LN	015-202-004	ENF07-00709	COMM DEV	\$5,000.00
CV-000679	OSCAR HERNANDEZ	126 S CANADA ST	SANTA BARBARA	CA	93103	126 S CANADA ST	017-222-007	ENF08-00893	COMM DEV	\$5,000.00
CV-000685	EMMA E PHILLIPS	301 N SOLEDAD ST	SANTA BARBARA	CA	93103	301 N SOLEDAD ST	031-382-010	ENF08-00775	COMM DEV	\$3,900.00
CV-000687	DARIO PINI	1335 MISSION RIDGE RD	SANTA BARBARA	CA	93103	900 N MILPAS	029-314-020	ENF09-00027	COMM DEV	\$2,100.00
CV-000690	EDMUND PARENT	1840 MISSION RIDGE RD	SANTA BARBARA	CA	93103	1840 MISSION RIDGE RD	019-083-013	ENF08-00674	COMM DEV	\$1,000.00
CV-000692	RAFAEL F MENDEZ, JR	P O BOX 50731	SANTA BARBARA	CA	93150	121 S VOLUNTARIO ST	017-221-019	ENF09-00134	PUBLIC WORKS	\$1,200.00
CV-000694	INES M TALAMANTEZ	175 LA JOLLA DR	SANTA BARBARA	CA	93109	175 LA JOLLA DR	041-362-002	ENF08-01001	COMM DEV	\$100.00
CV-000697	DOUGLAS MUSE	1620 GARDEN ST	SANTA BARBARA	CA	93101	1620 GARDEN ST	027-201-014	ENF07-00878	COMM DEV	\$500.00
CV-000711	924 GROUP, LLC	2081 LOS BERROS RD	ARROYO GRANDE	CA	93420	924 ANACAPA ST	029-291-018	ENF04-00283	COMM DEV	\$100.00
CV-000724	RICHARD PERRY, LIVING TRUST	P O BOX 3037	SANTA BARBARA	CA	93130	1920 STATE ST	025-372-015	ENF08-00502	COMM DEV	\$600.00
CV-000731	RAUL DIAZ PACHECO	P O BOX 10423	VAN NUYS	CA	91410	434 S CANADA ST	017-334-013	ENF09-00189	COMM DEV	\$4,500.00
CV-000732	FRANK P VILLALBA, TTEE	250 STORKE RD #3	GOLETA	CA	93117	519 QUARANTINA ST	031-222-003	ENF09-00190	COMM DEV	\$8,000.00
CV-000733	MARIA GARZON	1233 E GUTIERREZ ST	SANTA BARBARA	CA	93103	1233 E GUTIERREZ ST	031-323-008	ENF08-01377	COMM DEV	\$7,500.00
CV-000734	GREGG PATRONYK	2924 ARRIBA WY	SANTA BARBARA	CA	93105	2924 ARRIBA WY	023-080-009	ENF08-00839	COMM DEV	\$100.00
CV-000740	BELINDA RAZO	1109 WALNUT AV	SANTA BARBARA	CA	93101	1109 WALNUT AV	039-202-009	ENF07-01248	COMM DEV	\$5,500.00



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: Housing and Redevelopment, Community Development Department

SUBJECT: Appropriation Of American Re-Investment And Recovery Act Of 2009 (ARRA) Funds For Homelessness Prevention And Rapid Re-Housing And Community Development Block Grant Recovery

RECOMMENDATION: That Council:

- A. Increase appropriations and estimated revenues by \$1,200,000 in the Miscellaneous Grants Fund for the Homelessness Prevention and Rapid Re-Housing ARRA grant from the State Department of Housing and Community Development to fund the City of Santa Barbara Homelessness Prevention and Rapid Re-Housing Collaborative; and
- B. Increase appropriations and estimated revenues by \$289,274 in the Community Development Block Grant Fund for the Community Development Block Grant ARRA grant from the U.S. Department of Housing and Urban Development to fund three City projects.

DISCUSSION:

Homelessness Prevention and Rapid Re-Housing Program (HPRP)

On August 4, 2009, Council approved the submission of a competitive grant application to the State Department of Housing and Community Development (HCD) for HPRP funding for homelessness prevention and homeless assistance. The City submitted the application as the Lead Agency in the Homelessness Prevention and Rapid Re-Housing Collaborative that includes Transition House, Casa Esperanza, Catholic Charities, Bringing Our Community Home and Legal Aid Foundation.

The purpose of the HPRP is to provide homelessness prevention assistance to households who would otherwise become homeless and to provide assistance to rapidly re-house persons who are already homeless. Assistance can be in the form of financial assistance (rent, security and utility deposits, utility payments, moving costs, motel and hotel vouchers) and housing relocation and stabilization services to assist participants with housing stability and/or placement (case management, outreach and engagement, housing search and placement, legal services, credit repair).

Council Agenda Report

Appropriation Of American Re-Investment And Recovery Act Of 2009 (ARRA) Funds For Homelessness Prevention And Rapid Re-Housing And Community Development Block Grant Recovery

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The City was notified on September 22, 2009, that a grant totaling \$1,200,000 over three years was approved. These funds now need to be appropriated in the City's Fiscal Year 2010 Miscellaneous Grants Fund and expended as follows:

Transition House	\$300,000
Casa Esperanza	\$300,000
Catholic Charities	\$300,000
Bringing Our Community Home	\$104,300
Legal Aid Foundation	\$91,238
City Rental Housing and Mediation Task Force (RHMTF)	\$53,762
City Administration and Data Collection	<u>\$50,700</u>
	\$1,200,000

The City's Housing and Redevelopment Development Division will monitor the HPRP funds and the implementation of the programs.

Community Development Block Grant Recovery (CDBG-R) Funds

On July 14, 2009, Council approved a substantial amendment to the City's 2008/2009 Consolidated Action Plan to include utilizing \$289,274 in CDBG-R ARRA funds for three City projects. The City receives these funds as an entitlement jurisdiction directly from the U.S. Department of Housing and Urban Development. These recovery funds now need to be appropriated in the City's Fiscal Year 2010 Community Development Block Grant Fund and expended as follows:

Activity	Cost
Franklin Center and Public Health Clinic: The purpose of this project is to rehabilitate the Franklin Center including roof replacement and various energy efficient upgrades.	\$89,000
Eastside Sidewalks and Access Ramps: The purpose of this project is to install sidewalks and curb cuts at intersections to meet ADA requirements.	\$156,883
Job Apprenticeship Program: The purpose of this project is to provide at-risk youth with training and temporary employment to increase their potential for future employability.	\$43,391
TOTAL:	\$289,274

BUDGET/FINANCIAL INFORMATION:

The two ARRA grants will cover all related expenses and will not impact the General Fund.

Council Agenda Report

Appropriation Of American Re-Investment And Recovery Act Of 2009 (ARRA) Funds For
Homelessness Prevention And Rapid Re-Housing And Community Development Block
Grant Recovery

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PREPARED BY: Brian Bosse, Housing and Redevelopment Manager/SG

SUBMITTED BY: Paul Casey; Community Development Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: Treasury Division, Finance Department

SUBJECT: September 30, 2009, Investment Report And September 30, 2009, Fiscal Agent Report

RECOMMENDATION: That Council:

- A. Accept the September 30, 2009, Investment Report; and
- B. Accept the September 30, 2009, Fiscal Agent Report.

DISCUSSION:

The City's investment reporting schedule requires staff to submit a comprehensive report on the City portfolio on a quarterly basis. This report covers investment activity for July through September, 2009.

According to estimates released by the Bureau of Economic Analysis, real gross domestic product (GDP), the broadest measure of the health of the U.S. economy, decreased at an annual rate of 0.7 percent during the second calendar quarter of 2009 after a 6.4 percent annual decrease for first quarter of 2009. Negative GDP indicates declines in exports, consumer spending, and business investments. However, the second quarter decline indicates a slowing of the contraction of the U.S. economy.

Mixed signals of an economic recovery continued throughout the third quarter. Financial markets rallied for the seventh straight month since March 9th lows due to signs of improvement in the economy and corporate earnings. Each of the major indexes posted 15 percent gains or better during the quarter.

As shown in the table to the right, Treasury yields moved lower during the quarter despite large amounts of Treasury debt coming to market again this quarter to the fund the massive federal bailout programs and stimulus packages. While an increase in the supply of Treasuries in the market generally acts to push prices

U.S. Treasury Market					
	6/30/2009	7/31/2009	8/31/2009	9/30/2009	Cumulative Change
3 Month	0.19%	0.18%	0.13%	0.11%	-0.08%
6 Month	0.34%	0.25%	0.22%	0.17%	-0.17%
1 Year	0.48%	0.47%	0.41%	0.38%	-0.10%
2 Year	1.11%	1.11%	0.97%	0.94%	-0.17%
3 Year	1.62%	1.59%	1.47%	1.42%	-0.20%
4 Year	2.09%	2.05%	1.93%	1.87%	-0.22%
5 Year	2.55%	2.51%	2.39%	2.31%	-0.24%
10 Year	3.53%	3.48%	3.40%	3.31%	-0.22%
30 Year	4.33%	4.30%	4.18%	4.05%	-0.28%
LAIF	1.38%	1.04%	0.93%	0.75%	-0.63%

down and yields higher, investor demand for safety kept prices high and yields lower this quarter.

Although September consumer spending results have not been released yet, a 2.7 percent increase in August consumer spending was spurred by high gas prices, back-to-school purchases, and the federal "Cash for Clunkers" (Car Allowance Rebate System, or CARS) program which spiked automobile sales from multi-decade lows. Still, during the quarter retail sales overall remained well below sales in July and August 2008, but at the highest levels since October 2008.

Unemployment rose to a record high of 9.7 percent by September 30, up from 9.5 percent at June 30, which had marked the highest level of unemployment in twenty-six years at the time. Also, recent data on sales of existing homes in the third quarter showed an unexpected decline. The commercial real-estate market continued to deteriorate, with the trend likely to continue in the near term.

The Consumer Price Index (CPI) is a general measure of inflation showing the average change in prices over time of goods and services purchased by households. Both the seasonally adjusted CPI-U for all items increased 0.2 percent in September, after a 0.4 percent rise in August due to increases in gasoline prices. Excluding food and energy costs, the core index also climbed 0.2 percent after increasing 0.1 percent in each of the previous two months.

During the third quarter, the federal funds rate remained unchanged at a target range of 0-1/4 percent. At its September meeting, the Federal Reserve Bank's Open Market Committee reiterated its commitment to keep rates exceptionally low for an extended period.

Investment Activity

As shown in the table on the next page, the City invested \$20.0 million during the quarter. The purchases consisted of "AAA" rated Federal Agency securities, of which \$12.0 million are callable, and \$8.0 million are bullets. \$6.0 million of "AAA" rated Federal Agency securities were called during the quarter, and maturities for the quarter totaled \$10.5 million. The weighted average yield to maturity on the quarter's purchases totaled 2.61 percent, compared to that of 4.078 percent on the quarter's called and matured investments. The rate at which the City earned interest at LAIF was 0.9 percent for the quarter ended September 30, 2009. Staff expects to reinvest a portion of the City's LAIF balances in short-term securities during the next quarter.

Issuer	Face Amount	Purchase Date	Final Maturity	Call Date	Yield To Call	Yield To Maturity
<i>Purchases:</i>						
Federal Home Loan Bank (FHLB)	\$ 2,000,000	07/16/09	07/16/12	10/16/09	2.200%	2.200%
Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000	07/30/09	01/30/13	07/30/10	2.350%	2.350%
Federal National Mortgage Assn. (FNMA)	2,000,000	08/20/09	08/20/14	11/20/09	3.727%	3.636%
Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000	08/26/09	08/26/14	02/26/10	3.625%	3.625%
Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000	09/03/09	09/21/12	-	-	1.699%
Federal National Mortgage Assn. (FNMA)	2,000,000	09/09/09	09/09/14	09/09/10	3.250%	3.250%
Federal Home Loan Bank (FHLB)	2,000,000	09/17/09	09/13/13	-	-	2.272%
Federal Home Loan Bank (FHLB)	2,000,000	09/17/09	12/13/13	-	-	2.440%
Federal Farm Credit Bank (FFCB)	2,000,000	09/30/09	10/03/11	-	-	1.125%
Federal Home Loan Bank (FHLB)	2,000,000	09/30/09	09/30/14	12/30/09	2.000%	3.500%
<i>Total Purchases</i>	\$ 20,000,000					
<i>Calls:</i>						
Federal Home Loan Bank (FHLB)	\$ 2,000,000	10/15/08	07/15/11	07/15/09	4.000%	4.002%
Federal Home Loan Bank (FHLB)	2,000,000	04/21/08	10/21/11	07/21/09	3.125%	3.125%
Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000	03/24/09	03/24/14	09/24/09	3.500%	3.500%
<i>Total Calls</i>	\$ 6,000,000					
<i>Maturities:</i>						
Airport Promissory Note - Partial Redemption	\$ 500,000	07/14/09	06/30/29	-	-	7.000%
Federal Farm Credit Bank (FFCB)	2,000,000	08/17/06	08/17/09	-	-	5.150%
Federal Home Loan Bank (FHLB)	2,000,000	09/25/08	08/18/09	-	-	3.231%
Federal Home Loan Mortgage Corp. (FHLMC)	1,000,000	09/14/06	09/01/09	-	-	5.070%
Federal Home Loan Bank (FHLB)	1,000,000	10/18/06	09/11/09	-	-	5.060%
General Electric Capital Corp. (GECC)	2,000,000	08/15/06	09/15/09	-	-	5.300%
Federal Home Loan Bank (FHLB)	2,000,000	09/25/08	09/25/09	-	-	3.250%
<i>Total Maturities</i>	\$ 10,500,000					

Summary of Cash and Investments

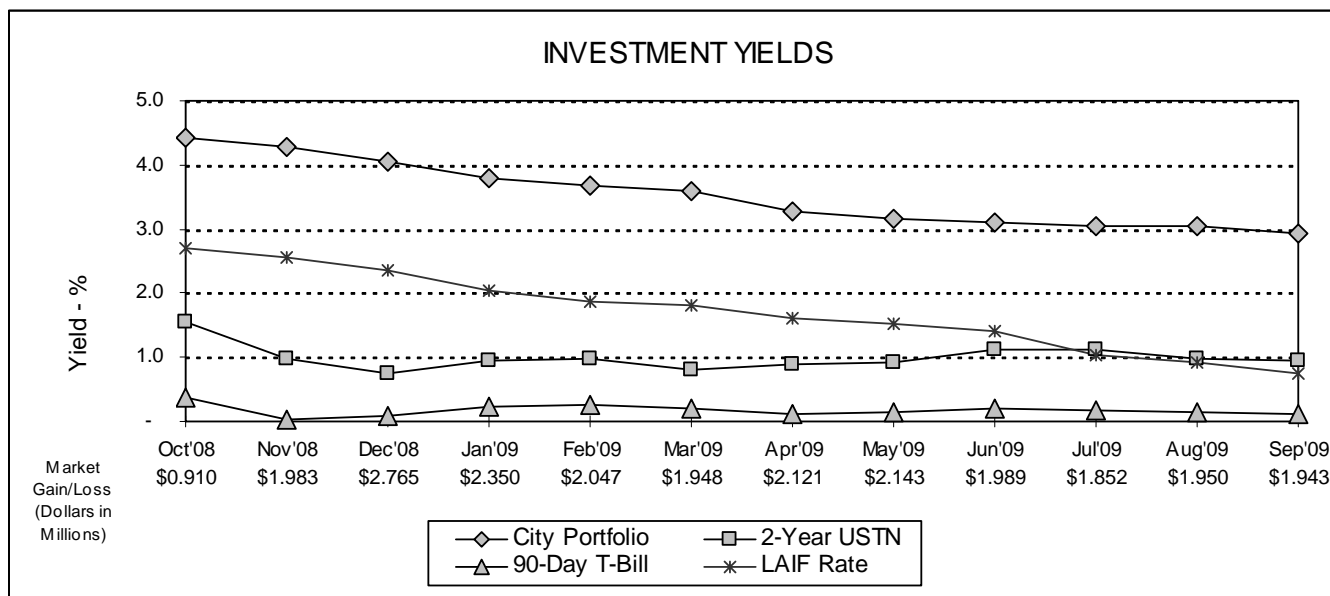
During the quarter, the City's book rate of return decreased by 18.2 basis points from 3.101 percent at June 30, 2009 to 2.919 percent at September 30, 2009. The portfolio yield continues to decline through the attrition of higher-yielding securities, and reinvestment at considerably lower market rates. The portfolio's average days to maturity increased by 447 days from 465 to 912 days due to the addition of the 20-year Airport promissory note into the portfolio in July 2009, authorized by Council action on April 14, 2009. The portfolio's average days to maturity excluding the Airport note is 607 days, reflecting reinvestment of maturities and calls during the quarter in the two to five year range.

Mo. Ended	Yield	Days to Maturity
6/30/2009	3.101%	465
7/31/2009	3.034%	799
8/31/2009	3.044%	846
9/30/2009	2.919%	912

Credit Quality on Corporate Notes

Over the quarter ended September 30, 2009, there were no credit quality changes to the four corporate issuers of the medium-term notes held in the portfolio (i.e., Berkshire Hathaway Financial, General Electric Capital Corp, Toyota Motor Credit, and Wells Fargo & Company). All ratings remain within the City's Investment Policy guidelines of "A" or better.

Portfolio Market Gains/Losses



As shown on the Investment Yields below, the City's portfolio continued to reflect unrealized market gains during the quarter due to the low interest rate environment. At September 30, the portfolio had an unrealized market gain of \$1.943 million.

On a quarterly basis, staff reports the five securities with the largest percentage of unrealized losses. At September 30, 2009 there were only two securities with unrealized losses as shown in the table below. However, since securities in the portfolio are held to maturity, no market loss will be realized. There were no securities with market decline of greater than 1 percent compared to the prior month.

Issuer	Face Amount	Maturity	\$ Mkt Loss	% Mkt Loss
Federal Farm Credit Bank	\$ 2,000,000	10/03/11	\$6,560	0.33%
Federal Home Loan Bank	\$ 2,000,000	09/30/14	\$1,560	0.08%

Additional Reporting Requirements

The following confirmations are made pursuant to California Code Sections 53600 et seq.: (1) the City's portfolio as of September 30, 2009 is in compliance with the City's Statement of Investment Policy; and (2) there are sufficient funds available to meet the City's expenditure requirements for the next six months.

Fiscal Agent Investments

In addition to reporting requirements for public agency portfolios, a description of any of the agency's investments under the management of contracted parties is also required on a quarterly basis. Attachment 2 includes bond funds and the police and fire service retirement fund as of September 30, 2009.

ATTACHMENTS: 1. September 30, 2009, Investment Report
 2. September 30, 2009, Fiscal Agent Report

PREPARED BY: Jill Taura, Treasury Manager

SUBMITTED BY: Robert Samario, Interim Finance Director

APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA
Activity and Interest Report
September 30, 2009

INVESTMENT ACTIVITY

PURCHASES OR DEPOSITS

09/01	LAIF Deposit/City	\$ 2,000,000
09/03	Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000
09/04	LAIF Deposit/City	2,000,000
09/08	LAIF Deposit/City	1,000,000
09/09	Federal National Mortgage Assn. (FNMA)	2,000,000
09/15	LAIF Deposit/City	2,000,000
09/17	Federal Home Loan Bank (FHLB)	2,000,000
09/17	Federal Home Loan Bank (FHLB)	2,000,000
09/21	LAIF Deposit/City	1,000,000
09/23	LAIF Deposit/City	3,000,000
09/30	Federal Home Loan Bank (FHLB)	2,000,000
09/30	Federal Farm Credit Bank (FFCB)	2,000,000
	Total	\$ 23,000,000

SALES, MATURITIES, CALLS OR WITHDRAWALS

09/01	Federal Home Loan Mortgage Corp. (FHLMC) Maturity	\$ (1,000,000)
09/02	LAIF Withdrawal/City	(2,500,000)
09/09	LAIF Withdrawal/City	(1,000,000)
09/10	LAIF Withdrawal/City	(2,000,000)
09/11	Federal Home Loan Bank (FHLB) Maturity	(1,000,000)
09/15	General Electric Capital Corp. (GECC) Maturity	(2,000,000)
09/17	LAIF Withdrawal/City	(6,000,000)
09/24	Federal Home Loan Mortgage Corp. (FHLMC) Call	(2,000,000)
09/25	Federal Home Loan Bank (FHLB) Maturity	(2,000,000)
09/30	LAIF Withdrawal/City	(2,500,000)
09/30	LAIF Withdrawal/RDA	(1,000,000)
	Total	\$ (23,000,000)

ACTIVITY TOTAL

\$ -

INTEREST REVENUE

POOLED INVESTMENTS

Interest Earned on Investments	\$ 366,642
Amortization	8,788
SBB&T Sweep Account Interest	68
Total	\$ 375,499

RDA INVESTMENTS

Interest Earned on Investments (LAIF)	\$ 14,219
---------------------------------------	------------------

TOTAL INTEREST EARNED

\$ 389,718

CITY OF SANTA BARBARA
Summary of Cash and Investments
September 30, 2009

ENDING BALANCE AS OF AUGUST 31, 2009

Description	Book Value	Yield to Maturity (365 days)	Percent of Portfolio	Average Days to Maturity
State of California LAIF	\$ 45,600,000	0.925%	28.84%	1
Certificates of Deposit	2,000,000	2.500%	1.26%	78
Federal Agency Issues - Coupon	90,966,234	3.553%	57.53%	849
Corporate/Medium Term Notes	12,255,821	4.879%	7.75%	285
	150,822,055	2.852%	95.38%	537
SB Airport Promissory Note	7,300,000	7.000%	4.62%	7,242
Totals and Averages	\$ 158,122,055	3.044%	100.00%	846
SBB&T Money Market Account	3,214,338			
Total Cash and Investments	\$ 161,336,392			

NET CASH AND INVESTMENT ACTIVITY FOR SEPTEMBER 2009 **\$ (179,052)**

ENDING BALANCE AS OF SEPTEMBER 30, 2009

Description	Book Value	Yield to Maturity (365 days)	Percent of Portfolio	Average Days to Maturity
State of California LAIF	\$ 41,600,000	0.750%	26.27%	1 (1)
Certificates of Deposit	2,000,000	2.500%	1.26%	48
Federal Agency Issues - Coupon	97,213,984	3.351%	61.38%	910
Corporate/Medium Term Notes	10,256,386	4.797%	6.48%	307
	151,070,369	2.722%	95.39%	607
SB Airport Promissory Note	7,300,000	7.000%	4.61%	7,212
Totals and Averages	\$ 158,370,369	2.919%	100.00%	912
SBB&T Money Market Account	2,786,971			
Total Cash and Investments	\$ 161,157,340			

Note:

(1) The average life of the LAIF portfolio as of September 30, 2009 is 234 days .

CITY OF SANTA BARBARA
Investment Portfolio
September 30, 2009

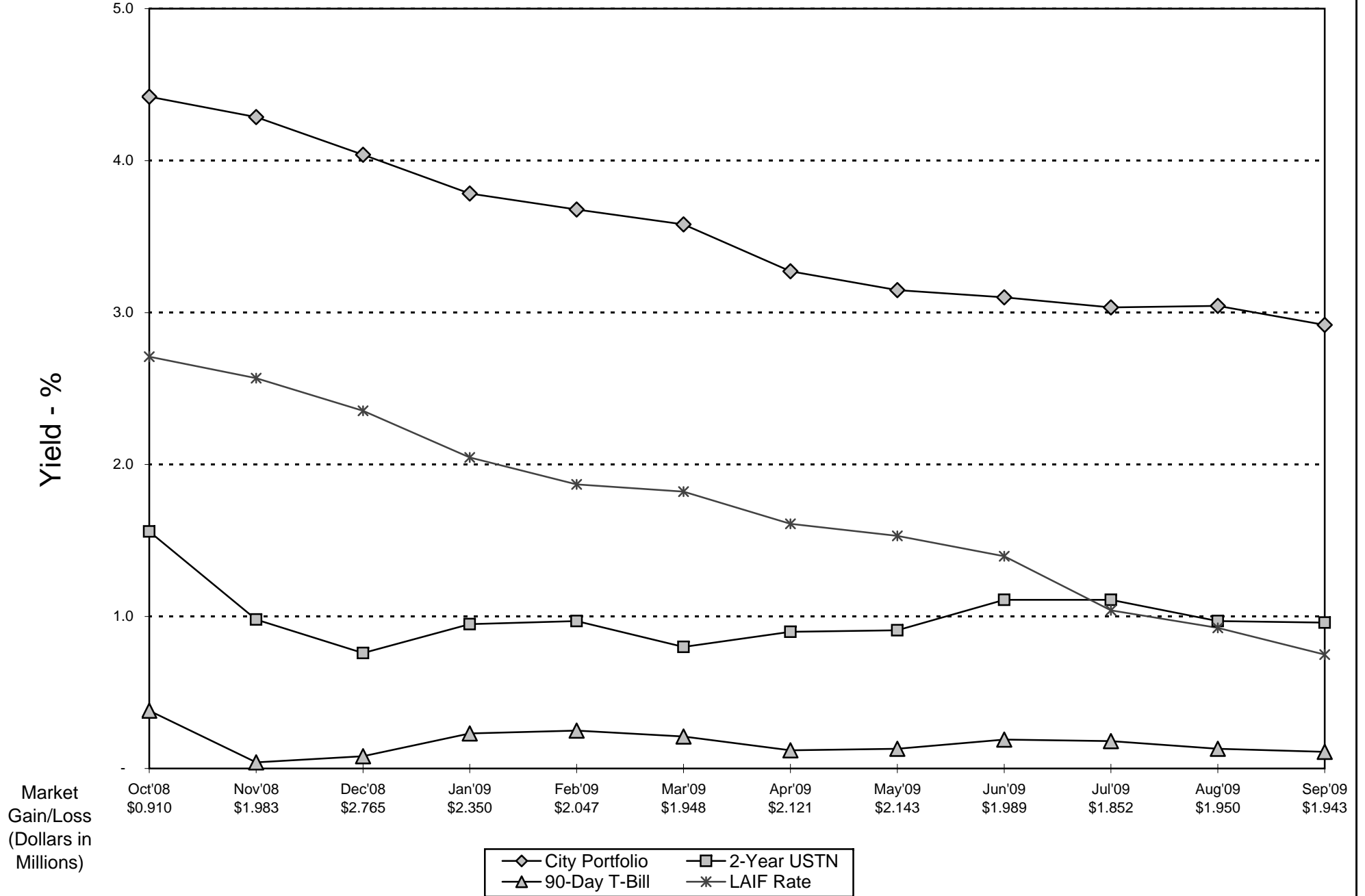
DESCRIPTION	PURCHASE DATE	MATURITY DATE	QUALITY MOODY'S	RATING S & P	STATED RATE	YIELD AT 365	FACE VALUE	BOOK VALUE	MARKET VALUE	BOOK GAIN/(LOSS)	COMMENTS
LOCAL AGENCY INVESTMENT FUNDS											
LOCAL AGENCY INVESTMENT FUND	-	-	-	-	0.750	0.750	19,500,000.00	19,500,000.00	19,500,000.00	0.00	
LOCAL AGENCY INV FUND/RDA	-	-	-	-	0.750	0.750	22,100,000.00	22,100,000.00	22,100,000.00	0.00	
Subtotal, LAIF							41,600,000.00	41,600,000.00	41,600,000.00	0.00	
CERTIFICATES OF DEPOSIT											
MONTECITO BANK & TRUST	11/18/08	11/18/09	-	-	2.500	2.500	2,000,000.00	2,000,000.00	2,000,000.00	0.00	
Subtotal, Certificates of deposit							2,000,000.00	2,000,000.00	2,000,000.00	0.00	
FEDERAL AGENCY ISSUES - COUPON											
FEDERAL FARM CREDIT BANK	03/06/09	04/24/12	Aaa	AAA	2.250	2.120	2,000,000.00	2,006,431.54	2,035,010.00	28,578.46	
FEDERAL FARM CREDIT BANK	11/07/06	01/18/11	Aaa	AAA	5.750	5.000	2,000,000.00	2,017,301.56	2,130,630.00	113,328.44	
FEDERAL FARM CREDIT BANK	01/29/07	08/25/10	Aaa	AAA	4.750	5.111	2,000,000.00	1,994,109.55	2,076,570.00	82,460.45	
FEDERAL FARM CREDIT BANK	02/01/08	02/01/13	Aaa	AAA	3.790	3.790	2,000,000.00	2,000,000.00	2,021,570.00	21,570.00	Callable 2/01/10, then cont.
FEDERAL FARM CREDIT BANK	03/04/09	03/02/12	Aaa	AAA	2.370	2.370	2,000,000.00	2,000,000.00	2,013,440.00	13,440.00	Callable 3/02/10, then cont.
FEDERAL FARM CREDIT BANK	03/04/09	01/17/12	Aaa	AAA	2.000	2.000	2,000,000.00	2,000,000.00	2,028,130.00	28,130.00	
FEDERAL FARM CREDIT BANK	03/05/09	03/04/13	Aaa	AAA	2.600	2.600	2,000,000.00	2,000,000.00	2,036,560.00	36,560.00	
FEDERAL FARM CREDIT BANK	05/08/09	04/08/13	Aaa	AAA	2.200	2.200	2,000,000.00	2,000,000.00	2,007,190.00	7,190.00	
FEDERAL FARM CREDIT BANK	06/19/09	06/18/12	Aaa	AAA	2.125	2.125	2,000,000.00	2,000,000.00	2,021,250.00	21,250.00	
FEDERAL FARM CREDIT BANK	09/30/09	10/03/11	Aaa	AAA	1.125	1.125	2,000,000.00	2,000,000.00	1,993,440.00	(6,560.00)	
FEDERAL HOME LOAN BANK	10/25/06	02/12/10	Aaa	AAA	3.875	5.117	1,000,000.00	995,883.49	1,013,130.00	17,246.51	
FEDERAL HOME LOAN BANK	12/18/06	11/03/09	Aaa	AAA	3.500	4.834	2,000,000.00	1,997,807.92	2,005,620.00	7,812.08	
FEDERAL HOME LOAN BANK	05/22/07	06/10/11	Aaa	AAA	5.250	5.005	2,000,000.00	2,007,393.21	2,143,440.00	136,046.79	
FEDERAL HOME LOAN BANK	07/09/07	02/15/11	Aaa	AAA	4.000	5.308	2,000,000.00	1,967,676.54	2,090,630.00	122,953.46	
FEDERAL HOME LOAN BANK	07/09/07	03/12/10	Aaa	AAA	5.000	5.268	1,000,000.00	998,874.84	1,021,095.00	22,220.16	
FEDERAL HOME LOAN BANK	02/26/09	02/24/14	Aaa	AAA	3.250	3.261	2,000,000.00	1,999,600.56	2,016,570.00	16,969.44	Callable 2/24/10, then qtrly
FEDERAL HOME LOAN BANK	03/04/09	06/08/12	Aaa	AAA	4.375	2.110	1,700,000.00	1,799,404.14	1,819,799.00	20,394.86	
FEDERAL HOME LOAN BANK	06/30/09	06/30/14	Aaa	AAA	2.000	2.000	2,000,000.00	2,000,000.00	2,020,940.00	20,940.00	StrNt, Callable 6/30/11, once
FEDERAL HOME LOAN BANK	07/16/09	07/16/12	Aaa	AAA	2.200	2.200	2,000,000.00	2,000,000.00	2,001,260.00	1,260.00	Callable 10/16/09, once
FEDERAL HOME LOAN BANK	09/30/09	09/30/14	Aaa	AAA	2.000	2.000	2,000,000.00	2,000,000.00	1,998,440.00	(1,560.00)	StrNt, Callable 12/30/09, qtrly
FEDERAL HOME LOAN BANK	09/17/09	12/13/13	Aaa	AAA	3.125	2.440	2,000,000.00	2,054,303.44	2,063,440.00	9,136.56	
FEDERAL HOME LOAN BANK	09/14/06	09/29/10	Aaa	AAA	5.125	5.070	1,000,000.00	1,000,462.57	1,044,220.00	43,757.43	
FEDERAL HOME LOAN BANK	05/23/08	06/10/11	Aaa	AAA	3.125	3.520	2,000,000.00	1,987,375.88	2,069,060.00	81,684.12	
FEDERAL HOME LOAN BANK	11/07/06	10/26/09	Aaa	AAA	5.000	5.000	2,345,000.00	2,344,998.90	2,352,703.33	7,704.43	
FEDERAL HOME LOAN BANK	11/08/06	07/30/10	Aaa	AAA	5.000	5.010	2,000,000.00	1,999,812.85	2,075,310.00	75,497.15	
FEDERAL HOME LOAN BANK	12/18/06	06/22/10	Aaa	AAA	4.500	4.825	2,000,000.00	1,995,709.19	2,059,690.00	63,980.81	
FEDERAL HOME LOAN BANK	06/18/07	03/12/10	Aaa	AAA	4.875	5.382	2,000,000.00	1,995,811.38	2,040,940.00	45,128.62	
FEDERAL HOME LOAN BANK	06/16/08	12/10/10	Aaa	AAA	3.250	3.800	2,000,000.00	1,987,561.88	2,061,250.00	73,688.12	

CITY OF SANTA BARBARA
Investment Portfolio
September 30, 2009

DESCRIPTION	PURCHASE DATE	MATURITY DATE	QUALITY MOODY'S	RATING S & P	STATED RATE	YIELD AT 365	FACE VALUE	BOOK VALUE	MARKET VALUE	BOOK GAIN/(LOSS)	COMMENTS
FEDERAL HOME LOAN BANK	09/17/09	09/13/13	Aaa	AAA	4.375	2.272	2,000,000.00	2,157,964.79	2,165,940.00	7,975.21	
FEDERAL HOME LOAN MTG CORP	04/08/09	04/08/13	Aaa	AAA	2.500	2.526	2,000,000.00	1,998,480.56	2,014,740.00	16,259.44	Callable 4/08/11, once
FEDERAL HOME LOAN MTG CORP	05/19/09	11/19/12	Aaa	AAA	2.170	2.170	2,000,000.00	2,000,000.00	2,014,120.00	14,120.00	Callable 5/19/11, once
FEDERAL HOME LOAN MTG CORP	09/03/09	09/21/12	Aaa	AAA	2.125	1.699	2,000,000.00	2,024,557.38	2,026,870.00	2,312.62	
FEDERAL HOME LOAN MTG CORP	05/13/09	05/13/13	Aaa	AAA	2.400	2.400	2,000,000.00	2,000,000.00	2,018,360.00	18,360.00	Callable 5/13/11, once
FEDERAL HOME LOAN MTG CORP	08/26/09	08/26/14	Aaa	AAA	3.625	3.625	2,000,000.00	2,000,000.00	2,013,040.00	13,040.00	Callable 2/26/10, then qtrly
FEDERAL HOME LOAN MTG CORP	05/29/07	07/06/10	Aaa	AAA	4.500	5.070	2,000,000.00	1,992,008.50	2,060,160.00	68,151.50	
FEDERAL HOME LOAN MTG CORP	10/15/07	10/15/12	Aaa	AAA	5.050	5.050	2,000,000.00	2,000,000.00	2,003,520.00	3,520.00	Callable 10/15/09, once
FEDERAL HOME LOAN MTG CORP	07/30/09	01/30/13	Aaa	AAA	2.350	2.350	2,000,000.00	2,000,000.00	2,006,640.00	6,640.00	Callable 7/30/10, once
FEDERAL HOME LOAN MTG CORP	06/09/09	08/17/12	Aaa	AAA	1.000	2.420	2,000,000.00	1,921,776.59	1,959,520.00	37,743.41	
FEDERAL HOME LOAN MTG CORP	01/29/07	01/25/10	Aaa	AAA	4.375	5.122	2,000,000.00	1,995,664.61	2,025,180.00	29,515.39	
FEDERAL HOME LOAN MTG CORP	05/22/07	09/17/10	Aaa	AAA	3.880	5.015	2,000,000.00	1,980,097.04	2,062,320.00	82,222.96	
FEDERAL HOME LOAN MTG CORP	04/29/09	10/29/12	Aaa	AAA	2.250	2.250	2,000,000.00	2,000,000.00	2,020,640.00	20,640.00	Callable 10/29/10, once
FEDERAL NATL MORTGAGE ASSN	03/18/09	09/18/12	Aaa	AAA	2.500	2.500	2,000,000.00	2,000,000.00	2,036,250.00	36,250.00	Callable 3/18/11, once
FEDERAL NATL MORTGAGE ASSN	03/23/09	03/23/12	Aaa	AAA	2.000	2.000	2,000,000.00	2,000,000.00	2,019,690.00	19,690.00	StrNt, Callable 9/23/10, once
FEDERAL NATL MORTGAGE ASSN	05/04/09	05/04/12	Aaa	AAA	2.150	2.185	2,000,000.00	1,998,816.67	2,014,070.00	15,253.33	Callable 5/04/10, once
FEDERAL NATL MORTGAGE ASSN	09/09/09	09/09/14	Aaa	AAA	3.250	3.250	2,000,000.00	2,000,000.00	2,017,500.00	17,500.00	Callable 9/09/10, once
FEDERAL NATL MORTGAGE ASSN	04/27/06	04/20/10	Aaa	AAA	4.750	5.270	2,000,000.00	1,994,870.16	2,047,500.00	52,629.84	
FEDERAL NATL MORTGAGE ASSN	02/27/09	02/24/12	Aaa	AAA	2.250	2.250	2,000,000.00	2,000,000.00	2,031,880.00	31,880.00	Callable 2/24/11, once
FEDERAL NATL MORTGAGE ASSN	05/20/09	11/20/12	Aaa	AAA	2.250	2.250	2,000,000.00	2,000,000.00	2,007,190.00	7,190.00	Callable 5/20/10, once
FEDERAL NATL MORTGAGE ASSN	08/20/09	08/20/14	Aaa	AAA	3.625	3.636	2,000,000.00	1,999,227.78	2,008,760.00	9,532.22	Callable 11/20/09, then qtrly
FEDERAL NATL MORTGAGE ASSN	03/05/08	03/05/13	Aaa	AAA	4.100	4.100	2,000,000.00	2,000,000.00	2,032,500.00	32,500.00	Callable 3/05/10, once
Subtotal, Federal Agencies							97,045,000.00	97,213,983.52	98,867,717.33	1,653,733.81	
CORPORATE/MEDIUM TERM NOTES											
BERKSHIRE HATHAWAY FIN	01/15/08	01/15/10	Aa2	AAA	4.125	3.630	2,250,000.00	2,253,074.50	2,277,630.00	24,555.50	
GENERAL ELECTRIC CAPITAL CORP	01/10/07	02/22/11	Aa2	AA+	6.125	5.100	2,000,000.00	2,025,394.82	2,110,300.00	84,905.18	
TOYOTA MOTOR CREDIT	10/19/06	03/15/10	Aa1	AA	4.250	5.140	2,000,000.00	1,992,634.71	2,026,180.00	33,545.29	
WELLS FARGO & CO.	05/30/07	01/12/11	A1	AA-	4.875	5.260	2,000,000.00	1,991,084.50	2,065,620.00	74,535.50	
WELLS FARGO & CO.	10/10/06	08/09/10	A1	AA-	4.625	5.000	2,000,000.00	1,994,197.08	2,065,760.00	71,562.92	
Subtotal, Corporate Securities							10,250,000.00	10,256,385.61	10,545,490.00	289,104.39	
SB AIRPORT PROMISSORY NOTE (LT)											
SANTA BARBARA AIRPORT	07/14/09	06/30/29	-	-	7.000	7.000	7,300,000.00	7,300,000.00	7,300,000.00	0.00	
Subtotal, SBA Note							7,300,000.00	7,300,000.00	7,300,000.00	0.00	
TOTALS							158,195,000.00	158,370,369.13	160,313,207.33	1,942,838.20	

Market values have been obtained from the City's safekeeping agent, Santa Barbara Bank and Trust (SBB&T). SBB&T uses Interactive Data Pricing Service, Bloomberg and DTC.

INVESTMENT YIELDS



CITY OF SANTA BARBARA
Fiscal Agent Investments
September 30, 2009

	CASH & CASH EQUIVALENTS	Guaranteed Investment Contracts (GIC)	STOCKS		BONDS		US GOV'T & AGENCIES		TOTALS	
	Book & Market	Book & Market	Book	Market	Book	Market	Book	Market	Book	Market
BOND FUNDS										
RESERVE FUNDS										
2004 RDA - Housing Bonds	215.61	-	-	-	-	-	-	-	215.61	215.61
2002 Municipal Improvement - Refunding COPs	6,749.58	547,530.00	-	-	-	-	-	-	554,279.58	554,279.58
2002 Water - Refunding COPs	8,638.53	1,088,268.76	-	-	-	-	-	-	1,096,907.29	1,096,907.29
1994 Water - Revenue Bonds	20,020.19	757,680.00	-	-	-	-	-	-	777,700.19	777,700.19
2002 Waterfront - Reference COPs	988,272.18	1,393,262.50	-	-	-	-	-	-	2,381,534.68	2,381,534.68
1992 Seismic - Safety Bonds	87,465.19	-	-	-	-	-	-	-	87,465.19	87,465.19
Subtotal, Reserve Funds	1,111,361.28	3,786,741.26	-	-	-	-	-	-	4,898,102.54	4,898,102.54
PROJECT FUNDS										
2001 RDA Bonds	3,488,628.68	-	-	-	-	-	-	-	3,488,628.68	3,488,628.68
2003 RDA Bonds	20,497,473.14	-	-	-	-	-	-	-	20,497,473.14	20,497,473.14
2004 Sewer Revenue Bonds	3,238,346.85	1,357,140.00	-	-	-	-	-	-	4,595,486.85	4,595,486.85
2009 Airport Bonds	42,810,029.94	-	-	-	-	-	3,100,000.00	3,101,767.00	45,910,029.94	45,911,796.94
Subtotal, Project Funds	70,034,478.61	1,357,140.00	-	-	-	-	3,100,000.00	3,101,767.00	74,491,618.61	74,493,385.61
Subtotal Bond Funds	71,145,839.89	5,143,881.26	-	-	-	-	3,100,000.00	3,101,767.00	79,389,721.15	79,391,488.15
POLICE/FIRE - SVC RETIREMENT FUND										
Police/Fire Funds	78,163.74	-	198,251.47	237,414.02	-	-	-	-	276,415.21	315,577.76
	78,163.74	-	198,251.47	237,414.02	-	-	-	-	276,415.21	315,577.76
TOTAL FISCAL AGENT INVESTMENTS	71,224,003.63	5,143,881.26	198,251.47	237,414.02	-	-	3,100,000.00	3,101,767.00	79,666,136.36	79,707,065.91

Notes:

- (1) Cash & cash equivalents include money market funds.
- (2) Market values have been obtained from the following trustees: US Bank, Bank of New York and Santa Barbara Bank & Trust



CITY OF SANTA BARBARA

REDEVELOPMENT AGENCY AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Chair and Boardmembers

FROM: Housing and Redevelopment Division, Community Development Department

SUBJECT: Amended Redevelopment Agency Fiscal Year 2010 Capital Program

RECOMMENDATIONS: That the Redevelopment Agency Board:

- A. Consider funding allocations to the Redevelopment Agency Capital Program totaling \$1,519,000 and approve the project recommendations for the amended Fiscal Year 2010 Capital Program;
- B. Reprogram \$1,403,758 previously set aside in the Agency's Fiscal Year 2009 ERAF Fund and allocate \$1,403,758 as part of the \$1,519,000 outlined in the amended Capital Program for Fiscal Year 2010; and,
- C. Increase appropriations by \$115,242 in the Agency's General Fund from unappropriated reserves and allocate these funds as part of the \$1,519,000 outlined in the Amended Capital Program for Fiscal Year 2010.

BACKGROUND:

In an effort to address the State of California's 2009 budget crisis, the State implemented a \$350 million Education Revenue Augmentation Fund (ERAF) shift through budget bill 1389. The California Redevelopment Association (CRA) challenged the ERAF shift arguing that the taking was illegal. The CRA legal challenge was successful in Sacramento Superior Court and, at the direction of the CRA, the Agency's Fiscal Year 2009 ERAF payment was not submitted to the County of Santa Barbara. Understanding that a legal resolution of the issue could take months, the Agency Board set aside the proposed ERAF payment of \$1,403,758 in a separate account as part of the Agency's Fiscal Year 2009 Budget adoption. On May 26, 2009, the State of California appealed the Superior Court's decision.

DISCUSSION:

The State budget for Fiscal Year 2010 was passed in late July and included another taking of redevelopment funds totaling over \$2.05 billion statewide over the next two years including over \$6.8 million from the City of Santa Barbara's Redevelopment Agency. Agency staff worked with various City departments to develop a slate of six capital projects which were approved as the Fiscal Year 2010 Capital Program by the Agency Board on September 29. These six projects came from a list of 42 capital projects that were submitted by various City departments for Redevelopment Agency funding consideration. All the projects submitted had merit. The current Fiscal Year 2010 capital program includes the following projects:

Project	Funding
Fire Department Administration Annex	\$3,750,000
Brinkerhoff Lighting	\$200,000
Chase Palm Park Restroom Renovation	\$186,600
Downtown Sidewalk Improvements (Planning & Design)	\$175,000
Downtown Parking Structure (Nos. 2, 9, & 10) Improvements (Planning & Design)	\$150,000
Library Plaza Renovation (Planning & Design)	\$150,000
Total	\$4,611,600

The Agency's entire capital program, including the projects approved on September 29, can be found in Attachment 1.

On September 28, 2009, the CRA announced that the State of California has abandoned its appeal of the Sacramento Superior Court ruling. The State's abandonment of the appeal means the ruling in favor of CRA is final. As a result, the \$1,403,758 ERAF obligation that was set aside in the Fiscal Year 2009 budget can now be made available to fund Agency projects and programs that were previously unfunded. Agency staff informed the Agency Board of this exciting news on September 29. Based on approximately \$1.4 million dollars being available, Agency staff also informed the Board that they would develop an expanded list of capital projects for the Agency Board to consider for inclusion in the Fiscal Year 2010 Capital Program.

Agency staff reviewed the remaining 36 unfunded capital projects that were considered for funding at the September 29 meeting and have developed a slate of additionally proposed projects for Fiscal Year 2010.

The projects recommended for inclusion into the amended Fiscal Year 2010 Capital Program total \$1,519,000 in Agency funding and include the following:

- East Cabrillo Sidewalks – Phase II (Milpas to Cabrillo Arts Pavilion): \$600,000 to replace existing sidewalks and landscaping on the beach side of East Cabrillo Boulevard from Milpas Street to Niños Drive. This phase would extend the recently completed sidewalks between Anacapa Street and Milpas Street.
- Chase Palm Park Lighting and Electrical Upgrades - \$569,000 to upgrade the parks electrical system to meet current needs, replace forty (40) light poles, and convert landscape lighting to bollard lighting.
- Waterfront Lighting: \$350,000 for the installation of lighting along the newly renovated breakwater.

Agency staff has also developed two additional project slates for the Board to consider if it desires. The two additional project slates are as follows:

Option A: The proposed projects for inclusion in Option A of the Fiscal Year 2010 Capital Program total \$1,500,800 in Agency funding and include the following projects:

- East Cabrillo Sidewalks: Phase II (Milpas to Cabrillo Arts Pavilion): See description above.
- Chase Palm Park Lighting and Electrical Improvements – See description above.
- Plaza Del Mar Restroom: \$212,000 for the complete renovation of a highly visible and heavily used public restroom in Plaza Del Mar Park adjacent to the band shell. Improvements would be consistent with the Agency-funded public restroom renovation at the base of Stearns Wharf and would include graffiti-resistant materials as well as energy and water conserving fixtures.
- Pershing Park Restroom: \$120,000 for the complete restroom renovation of a highly visible and heavily used public restroom in Pershing Park. Improvements would be consistent with the Agency-funded public restroom renovation at the base of Stearns Wharf and would include graffiti-resistant materials as well as energy and water conserving fixtures.

Option B: The proposed projects for inclusion in Option B of the Fiscal Year 2010 Capital Program total \$1,519,000 in Agency funding and include the following projects:

- East Cabrillo Sidewalks – Phase II (Milpas to Cabrillo Arts Pavilion): See description above.
- Chase Palm Park Lighting and Electrical Improvements – See description above.
- Chase Palm Park Renovation: \$350,000 for improved access per new American's with Disabilities Act standards, replacement of the sail structure, repair stucco, replace signage and playground, improve the lagoon circulation and renovate landscape elements.

FUNDING:

Funding for the Amended Capital Program for Fiscal Year 2010 comes primarily from the previously set aside ERAF funds amounting to \$1,403,758 as well as available reserves in the Agency's General Fund generated in fiscal year 2009 from revenues, primarily interest income, above budgeted amounts.

SUSTAINABILITY IMPACT:

The projects discussed in this Agenda Report will have their greatest impacts on the environment at the point they begin construction. Recognizing the possible impacts, Agency sponsored capital projects incorporate environmentally responsible design and construction techniques including, but not limited to, the specification of recycled content building materials, construction debris recycling processes, and the use of drought tolerant landscaping. These techniques further the City's Sustainability Goals in a variety of ways specific to the individual project and include reducing waste, recycling, and reducing resource consumption.

ATTACHMENTS: 1. Current Capital Program Summary (including projects approved on 9/29/09)
2. Amended Capital Program and Remaining Projects

PREPARED BY: Brian J. Bosse, Housing and Redevelopment Manager

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

**Redevelopment Agency
Current Capital Program Summary**

ATTACHMENT 1

	Project Name	Project Phase	Current Balance
1	Carrillo Recreation Center	Construction	\$6,058,200
2	West Downtown Neighborhood Improvements	Construction	\$3,120,600
3	West Beach Pedestrian Improvements	Construction	\$2,330,700
4	Brinkerhoff Lighting	Construction	\$200,000
5	Fire Station #1 Emergency Operations Center	Construction	\$180,400
6	IPM Sustainable Park Improvements	Construction	\$104,400
7	Historic Rail Car Acquisition/Placement	Construction	\$16,800
8	Community Arts Workshop	Final Design	\$606,000
9	Westside Center Park Improvements	Final Design	\$209,200
10	Police Department Locker Room/HVAC Renovation	Preliminary Design	\$7,507,800
11	Fire Department Administration Annex	Preliminary Design	\$3,750,000
12	Plaza de la Guerra Infrastructure	Conceptual Design	\$2,282,800
13	Mission Creek Flood Control @ Train Depot	Concept Phase	\$2,500,000
14	Chase Palm Park Wisteria Arbor	Concept Phase	\$835,000
15	Mission Creek Flood Control Park Dev.	Concept Phase	\$757,600
16	Helena Parking Lot	Concept Phase	\$500,000
17	Chase Palm Park Restroom Renovation	Concept Phase	\$186,600
18	Downtown Sidewalk Improvements (Ortega, Cota, Haley) - Planning & Design	Concept Phase	\$175,000
19	Downtown Parking Structure Improvements (Parking Structures #2, 9, and 10)	Concept Phase	\$150,000
20	Library Plaza (Planning & Design)	Concept Phase	\$150,000
21	RDA Project Contingency Account	Ongoing	\$1,145,000
22	125 State Street Soil Remediation	Ongoing	\$550,000
23	Visitor Center Condominium Purchase	Pending	\$500,000
24	Housing Opportunity Acquisition Account	Ongoing	\$366,500
25	Housing Fund Contingency Account	Ongoing	\$348,000
26	Lower State Street Sidewalks	Pending	\$335,000
27	Santa Barbara Children's Museum	Ongoing	\$0
			\$34,865,600

Amended Redevelopment Agency Capital Program and Remaining Projects

		ERAF Return
Project Name	Funding Request	1,403,758
East Cabrillo Sidewalks	600,000	803,758
Waterfront Lighting	350,000	453,758
Chase Palm Park Renovation	569,000	(115,242)
Total Requests	\$ 1,519,000	
Funds Remaining		\$ (115,242)

Remaining Projects		FY 2010
Project Name (In order of Requested Funding)	Funding Request	(115,242)
Cabrillo Bathhouse Renovation	6,000,000	
Chapala Street Corridor Improvements	2,500,000	
Mason Street Bridge	1,100,000	
Lower Milpas Pedestrian Improvements	850,000	
Haley Corridor/Lower WDT Street Lighting	750,000	
Chase Palm Park Carousel	650,000	
RDA Parking Lot Upgrade at 235 State Street	600,000	
Chase Palm Park Lighting and Electrical	568,100	
Parking Structure No. 10 Public Restroom	500,000	
Mission Lagoon Restoration	500,000	
Staircase Replacement at Lot No.10	400,000	
Lower Mission Creek Historic Study	370,000	
Cabrillo/Anacapa Intersection Improvements	350,000	
De La Vina/Figueroa Intersection Improvements	350,000	
Chase Palm Park Renovation	350,000	
East Beach & West Beach Playground Replacement	350,000	
De La Vina/Canon Perdido Intersection Improvements	350,000	
Parking Lot No.3 Paseo Improvements	300,000	
Cota Street Bridge at Mission Creek	276,000	
Waterfront Coral Tree Entry	250,000	
Plaza Del Mar Restroom	212,000	
Parking Structure No.10 Paseo Improvements	200,000	
Parking Structure No.7 (Library) ADA Improvements	200,000	
State Street Pedestrian Amenity Improvements	175,000	
Cabrillo Ballfields Restroom Renovation	159,000	
Ortega Street Bridge at Mission Creek	150,000	
Haley/Anacapa Intersection Improvements	150,000	
Children's Library - Main Branch	150,000	
Pershing Park Restroom Renovation	120,000	
West Beach Use Analysis & Cap. Improvements	100,000	
Waterfront Pedestrian/Vehicle Area Improvements	100,000	
Downtown Street Lighting Plan	40,000	
Additional Funding for Police Department Renovations	tbd	
RDA Community Grant Process for FY 2010	tbd	
Affordable Housing Activities - Additional Funding	tbd	
Total Funding Request	19,120,100	



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: Housing and Redevelopment Division, Community Development

SUBJECT: Human Services And Community Development Block Grant Funding Application Release

RECOMMENDATION: That Council:

- A. Review and provide input and direction on the current Community Development and Human Services Committee (CDHSC) program funding criteria and priorities for Fiscal Year 2011 Human Services and Community Development Block Grant funding decisions;
- B. Authorize staff to release the Fiscal Year 2011 funding application along with the committee review process and schedule for review of those applications; and
- C. Establish a funding commitment from the Fiscal Year 2011 General Fund in the amount of \$703,256 for the Human Services Program.

DISCUSSION:

Applications for Fiscal Year 2011 Community Development Block Grant (CDBG) and Human Services funds are scheduled to be released on November 2, 2009. They will be due on December 16, 2009 and funding decisions will be made in March 2010. Annually, the Council reviews the priorities, criteria and schedule for funding before the applications are released.

CDBG Funds

The Housing and Community Development Act of 1974 requires that each CDBG-funded activity meet one of three statutory objectives: **1) primarily benefit low and moderate income persons; 2) eliminate or prevent slums or blight; or 3) meet other urgent local community development needs.** Congress mandated that the primary objective of the CDBG program is the development of a viable urban community by providing decent housing and a suitable living environment for low and moderate-income persons.

At a required public hearing on Housing and Community Development Needs held on September 22, 2009, the CDHSC received input and reviewed Council goals and federally mandated documents such as the Consolidated Plan. The CDBG priorities are not recommended for change this year, as they allow for great flexibility within which the

varied needs and circumstances of programs and projects can be achieved. The CDHSC members will analyze the merits of each of the different competing proposals that come before them and will continue to recognize City Council goals.

Last year the CDBG program allocated \$1.13 million in new entitlement and reprogrammed funds, and staff anticipates a slight increase to \$1.15 million for CDBG projects during Fiscal Year 2011. CDBG funds are restricted to allow a maximum of 15% of grant funds to be spent on eligible "Public Service/Human Service" activities. The largest portion of the funds is used for "Capital" projects.

The current CDBG priorities as previously adopted by Council are:

- Proposals which facilitate housing for low and moderate income persons.
- Proposals which revitalize downtown neighborhoods (Census Tracts 8.01, 8.02, 9, 10, 11.02 and 12.04).
- Proposals which strengthen or expand public or social service agencies that facilitate low and moderate-income housing.
- Economic development proposals which leverage financial resources to create or retain jobs for low and moderate-income persons.

Human Services Funds

The City of Santa Barbara has contracted with local agencies to provide essential social services for many years. Until 1987, the Federal government provided funds for this purpose through the Federal Revenue Sharing Program. When this federal program was eliminated, the Council committed to continue funding human service programs through the City's General Fund. Over the years, thousands of City residents have received assistance from agencies supported through City Human Services funds provided by the City. In the current fiscal year, the City's Human Services allocation totals \$703,256; which, when added to the CDBG 15% public service amount, totals \$864,845 in funding for 49 programs in the Public/Human Services category.

The current Human Services priorities as previously adopted by Council are:

- 1st. - Proposals which help meet basic emergency human needs.
- 2nd. - Proposals which are preventative in nature and/or promote the highest degree of functioning the individual is capable of achieving.
- 3rd. - Proposals which seek to enhance the quality of life of persons whose basic needs are already met.

Attachments 1 and 2 show programs funded by the CDHSC in Fiscal Year 2010 and their priority, rating, and primary service category.

Application Review Process

Staff is recommending that the Council provide input and direction on the Funding Priorities as outlined above, Application Criteria (Attachment 3) and draft Schedule (Attachment 4). Based on the successful implementation of the grant application process over the past years, it is important that distinct, established application criteria and funding priorities be available for use by applicants, staff and the CDHSC. Council now has the opportunity to provide additional direction to the CDHSC and/or to change the priorities for the next grant year.

A master funding application is scheduled to be available November 2, 2009, pending Council adoption of funding priorities, criteria and application process. A provider workshop is scheduled to be held on November 12, 2009. At the workshop, staff will explain the application process and answer any questions relating to funding criteria and priorities. In order to ensure maximum attendance at this workshop, an announcement will be mailed to all Human Services and Community Development Block Grant agencies that have expressed an interest in applying this past year or have applied for funding in the past two years. In addition, advertisements will appear in the Daily Sound and the Santa Barbara News-Press announcing the availability of applications; a news release will be disseminated to the local media; and an announcement, along with the application, will be posted on the City's website.

BUDGET/FINANCIAL INFORMATION:

The City of Santa Barbara is an entitlement jurisdiction for federally funded Community Development Block Grant (CDBG) funds through the Department of Housing and Urban Development. We anticipate new entitlement and reprogrammed CDBG funds in the amount of \$1.15 million for Fiscal Year 2011.

Council has expressed a desire to increase Human Services funds by 3% each year to account for inflation; however, with the current economic challenges, Council approved level funding in Fiscal Year 2010 and staff is recommending level funding for Fiscal Year 2011 in the amount of \$703,256. If approved by Council, this funding commitment will be included in the City's Fiscal Year 2011 budget.

- ATTACHMENTS:**
1. CDBG/HS Funding for Fiscal Year 2010 by Priority and Rating
 2. CDBG/HS funding for Fiscal Year 2010 by Category
 3. CDHSC Combined Funding Application Criteria, Review and Interview
 4. Proposed Fiscal Year 2011 Application Schedule and Process

PREPARED BY: Brian Bosse, Housing and Redevelopment Manager/SLG

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE
FY 2009-2010 FUNDING
BY PRIORITY AND RATING

AGENCY	PROGRAM	AVERAGE RATING	2009-2010		
			CDBG	HUMAN SERVICES	TOTAL FUNDING
PUBLIC/HUMAN SERVICE:					
FIRST PRIORITY					
Casa Esperanza	Homeless Day Program	25.5	\$53,826		\$53,826
Transition House	Comprehensive Services	25.4	\$43,000		\$43,000
Aids Housing	Sarah House	25.3		\$25,000	\$25,000
S.B. Rape Crisis Center		24.8		\$25,000	\$25,000
Domestic Violence Solutions	Emergency Shelter	24.6	\$28,763	\$22,737	\$51,500
SB Neighborhood Clinics	Dental Care - Homeless	24.3		\$20,000	\$20,000
Community Kitchen		24.3		\$50,000	\$50,000
People's Self Help Housing	Supportive Housing Program	24.1		\$11,500	\$11,500
Catholic Charities	Emergency Housing	23.8	\$14,000		\$14,000
Foodbank	SB Warehouse	23.8		\$25,000	\$25,000
SB County DA - Victim Witness	S.A.R.T.	23.6		\$15,000	\$15,000
New Beginnings Counseling	Homeless Outreach	23.4		\$15,000	\$15,000
WillBridge		23.4		\$22,000	\$22,000
Channel Islands YMCA	Noah's Anchorage	23.3	\$22,000		\$22,000
S.B. Community Housing Corp.	New Faulding Hotel	23.2		\$15,000	\$15,000
Domestic Violence Solutions	Second Stage	23.0		\$7,000	\$7,000
Foodbank	Brown Bag	23.0		\$8,000	\$8,000
S.B. Community Housing Corp.	Hotel de Riviera	22.9		\$12,000	\$12,000
St. Vincent's	PATHS	22.6		\$9,000	\$9,000
Pacific Pride	Necessities of Life	22.3		\$11,000	\$11,000
Bringing Our Community Home		21.0		\$14,000	\$14,000
Legal Aid	Emergency Legal Svcs.	20.8		\$24,000	\$24,000
Community Action Commission	Senior Nutrition	19.4		\$9,000	\$9,000
SECOND PRIORITY					
Storyteller Children's Center		24.1		\$30,000	\$30,000
Family Service Agency	Big Brothers/Big Sisters	24.0		\$8,000	\$8,000
Mental Health Association	Fellowship Club	24.0		\$10,500	\$10,500
People's Self Help Housing	Gang Prevention	23.9		\$7,000	\$7,000
Friendship Center	Adult Day Care	23.8		\$22,019	\$22,019
Child Abuse Listening Mediation	Bilingual Treatment	23.7		\$21,000	\$21,000
Independent Living Resource Cnt		23.6		\$23,000	\$23,000
City of SB - Rental Housing Mediation Task Force		23.2		\$25,000	\$25,000
Planned Parenthood	Health Education	23.1		\$12,000	\$12,000
Transition House	Homeless Prevention	23.1		\$7,500	\$7,500
Long Term Care Ombudsman		23.0		\$23,000	\$23,000
Family Service Agency	Homemaker	22.4		\$5,000	\$5,000
City at Peace		22.0		\$7,500	\$7,500
Primo Boxing Club	Say Yes to Kids	21.9		\$26,000	\$26,000
S.B. Family Care Center	Centro Infantil	21.9		\$18,000	\$18,000
United Boys & Girls Club (Westside)	SMART Moves	21.9		\$7,000	\$7,000
Family Service Agency	211 CRIS/HelpLine	21.8		\$23,000	\$23,000
Community Action Commission	Child Development	21.6		\$17,000	\$17,000
Recording - Blind & Dyslexic	Audio Textbook Production	21.4		\$5,000	\$5,000
Project Excel		21.3		\$8,000	\$8,000

COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE
FY 2009-2010 FUNDING
BY PRIORITY AND RATING

AGENCY	PROGRAM	AVERAGE RATING	2009-2010		
			CDBG	HUMAN SERVICES	TOTAL FUNDING
SB Police Activities League		21.2		\$17,500	\$17,500
Family Therapy Institute	AHA!	21.0		\$10,000	\$10,000
Boys & Girls Club (Downtown)	Power Hour Tutoring	20.8		\$8,000	\$8,000
Court Appointed Special Advocates		20.3		\$10,000	\$10,000
Job Apprenticeship Prog.	Recreation Dept.	20.3		\$7,000	\$7,000
Easy Lift Transporation	Youth Transportation	19.8		\$5,000	\$5,000
Total Public/Human Service:			\$161,589	\$703,256	\$864,845
CAPITAL:					
City S.B.-Community Development	Housing Rehabilitation	24.1	\$285,000		\$285,000 *
FSA	S.A.I.L.	23.3	\$44,200		\$44,200
SB Neighborhood Clinics	Floor replacement	22.5	\$18,958		\$18,958
City SB - NIP	West DT Lighting Design	22.2	\$50,000		\$50,000
Women's Economic Ventures	Microenterprise Devel.	22.1	\$25,000		\$25,000
City SB - NIP	Franklin Center Kitchen Renc	22.1	\$136,221		\$136,221
Girls Incorporated of Greater SB	Asphalt Replacement	21.9	\$12,496		\$12,496
City SB - NIP	Alisos St. Sidewalk Infill	21.7	\$90,000		\$90,000
Primo Boxing Club	Building repair	21.4	\$39,625		\$39,625
Total Capital:			\$701,500		\$701,500
ADMIN:					
City S.B.	Fair Housing	24.6	\$9,310		\$9,310
City S.B.	Administration	23.6	\$176,870		\$176,870
City S.B.	Rental Housing Mediation	22.2	\$79,272		\$79,272
Total Administration:			\$265,452		\$265,452
GRAND TOTAL			\$1,128,541	\$703,256	\$1,831,797

* In addition to this amount, approximately \$250,000 in Home Rehabilitation Loan Repayment funds are anticipated for fiscal year 2009-2010.

COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE
FY 2009-2010 FUNDING
BY CATEGORY

AGENCYPROGRAM		2009-2010		
		CDBG	HUMAN SERVICES	TOTAL FUNDING
PUBLIC/HUMAN SERVICE:				
CHILDREN				
Child Abuse Listening Mediation	Bilingual Treatment		\$21,000	\$21,000
Community Action Commission	Child Development		\$17,000	\$17,000
Court Appointed Special Advocates			\$10,000	\$10,000
Family Service Agency	Big Brothers/Big Sisters		\$8,000	\$8,000
S.B. Family Care Center	Centro Infantil		\$18,000	\$18,000
Storyteller Children's Center			\$30,000	\$30,000
				\$104,000
EMERGENCY				
Catholic Charities	Emergency Housing	\$14,000		\$14,000
Community Kitchen			\$50,000	\$50,000
Domestic Violence Solutions	Emergency Shelter	\$28,763	\$22,737	\$51,500
Family Service Agency	211 CRIS/HelpLine		\$23,000	\$23,000
Foodbank	SB Warehouse		\$25,000	\$25,000
Legal Aid	Emergency Legal Svcs.		\$24,000	\$24,000
S.B. Rape Crisis Center			\$25,000	\$25,000
SB County DA - Victim Witness	S.A.R.T.		\$15,000	\$15,000
				\$227,500
HEALTH/DISABLED				
Independent Living Resource Cnt			\$23,000	\$23,000
Mental Health Association	Fellowship Club		\$10,500	\$10,500
Pacific Pride	Necessities of Life		\$11,000	\$11,000
Recording - Blind & Dyslexic	Audio Textbook Production		\$5,000	\$5,000
				\$49,500
HOMELESS/HOUSING				
Aids Housing	Sarah House		\$25,000	\$25,000
Bringing Our Community Home			\$14,000	\$14,000
Casa Esperanza	Homeless Day Program	\$53,826		\$53,826
Channel Islands YMCA	Noah's Anchorage	\$22,000		\$22,000
City of SB - Rental Housing Mediation Task Force			\$25,000	\$25,000
Domestic Violence Solutions	Second Stage		\$7,000	\$7,000
New Beginnings Counseling	Homeless Outreach		\$15,000	\$15,000
People's Self Help Housing	Supportive Housing Program		\$11,500	\$11,500
S.B. Community Housing Corp.	New Faulding Hotel		\$15,000	\$15,000
S.B. Community Housing Corp.	Hotel de Riviera		\$12,000	\$12,000
SB Neighborhood Clinics	Dental Care - Homeless		\$20,000	\$20,000
St. Vincent's	PATHS		\$9,000	\$9,000
Transition House	Comprehensive Services	\$43,000		\$43,000
Transition House	Homeless Prevention		\$7,500	\$7,500
WillBridge			\$22,000	\$22,000
				\$301,826
SENIOR				
Community Action Commission	Senior Nutrition		\$9,000	\$9,000
Family Service Agency	Homemaker		\$5,000	\$5,000
Foodbank	Brown Bag		\$8,000	\$8,000
Friendship Center	Adult Day Care		\$22,019	\$22,019
Long Term Care Ombudsman			\$23,000	\$23,000
				\$67,019

COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE
FY 2009-2010 FUNDING
BY CATEGORY

AGENCY	PROGRAM	2009-2010		
		CDBG	HUMAN SERVICES	TOTAL FUNDING
YOUTH				
Boys & Girls Club (Downtown)	Power Hour Tutoring		\$8,000	\$8,000
City at Peace			\$7,500	\$7,500
Easy Lift Transporation	Youth Transportation		\$5,000	\$5,000
Family Therapy Institute	AHA!		\$10,000	\$10,000
Job Apprenticeship Prog.	Recreation Dept.		\$7,000	\$7,000
People's Self Help Housing	Gang Prevention		\$7,000	\$7,000
Planned Parenthood	Health Education		\$12,000	\$12,000
Primo Boxing Club	Say Yes to Kids		\$26,000	\$26,000
Project Excel			\$8,000	\$8,000
SB Police Activities League			\$17,500	\$17,500
United Boys & Girls Club (Westside)	SMART Moves		\$7,000	\$7,000
				\$115,000
CAPITAL:				
ECONOMIC DEVELOPMENT				
Women's Economic Ventures	Microenterprise Devel.	\$25,000		\$25,000
HOMELESS/HOUSING				
City S.B.-Community Development	Housing Rehabilitation	\$285,000		\$285,000 *
SB Neighborhood Clinics	Floor replacement	\$18,958		\$18,958
				\$303,958
NEIGHBORHOOD IMPROVEMENT				
City SB - NIP	West DT Lighting Design	\$50,000		\$50,000
City SB - NIP	Franklin Center Kitchen Renc	\$136,221		\$136,221
City SB - NIP	Alisos St. Sidewalk Infill	\$90,000		\$90,000
				\$276,221
SENIOR				
FSA	S.A.I.L.	\$44,200		\$44,200
YOUTH				
Girls Incorporated of Greater SB	Asphalt Replacement	\$12,496		\$12,496
Primo Boxing Club	Building repair	\$39,625		\$39,625
				\$52,121
ADMIN:				
City S.B.	Fair Housing	\$9,310		\$9,310
City S.B.	Administration	\$176,870		\$176,870
City S.B.	Rental Housing Mediation	\$79,272		\$79,272
				\$265,452
GRAND TOTAL		\$1,128,541	\$703,256	\$1,831,797

* In addition to this amount, approximately \$250,000 in Home Rehabilitation Loan Repayment funds are anticipated for fiscal year 2009-2010.

COMMUNITY DEVELOPMENT HUMAN SERVICES COMMITTEE
CDBG/HS COMBINED FUNDING APPLICATION CRITERIA

- Programs should primarily benefit low and moderate-income residents.
- Programs must address specific social or physical needs and conditions of the people they propose to serve. Documentation could include social indicators, demographic data, surveys, community plans and need as perceived by potential consumers.
- Programs must present a marketing strategy, which includes specific efforts to reach ethnic communities.
- Programs must demonstrate support from the people for which the program is proposed.
- Agencies must clearly identify all funding sources and justify proposal if services are available through another source.
- Agencies shall seek funding, or demonstrate funding support from other public/private sources. The City shall not be committed to total support of a program nor shall the City be committed to continue funding in the case where other support is withdrawn.
- City funds should support only those services that directly benefit residents of the City of Santa Barbara. Programs operated on a county or regional basis must show documentation that (a) services benefit City residents, and (b) sufficient funds are available to support non-city residents.
- Administrative costs shall be held to a minimum and will be scrutinized during the program review process.
- Programs shall identify geographical areas where they propose to provide services.
- Programs that pay the local minimum wage (as described in Chapter 9.128 of the City of Santa Barbara Municipal Code) to all staff for which CDBG/Human Services funds are requested shall receive an extra point in the rating process.

COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE
REVIEW AND INTERVIEW

A thirteen-member committee appointed by the City Council will review applications, interview agencies and make funding recommendations to the City Council. The City Council makes final decisions on funding. The Community Development and Human Services Committee includes representatives of the following groups:

- Youth-Oriented Services
- Business/Economic Development Community
- Human Services
- Latino/Hispanic Community
- African American Community
- Senior Citizens
- Housing Interests
- Four (4) Low Income Neighborhoods: Eastside, Westside, Downtown, and Lower Westside
- Disabled Community
- Housing Authority Representative

At the scheduled interview, agencies will be allowed a 4-minute presentation, with 10 minutes for questions from the Committee, and an agency response/final statement. Agencies are requested to have a member of the Board of Directors and appropriate staff present at the interview.

In reviewing applications, the following criteria is used by the CDHS Committee:

- Eligibility
- Priority
- Need for service
- Quality of the program and its administration
- Cost effectiveness of the service to be provided
- Fiscal management
- Ability to implement the project and expend funds within the fiscal year. HUD may requisition unused or inappropriately used funds.
- Completeness of proposal

To ensure that verbal presentations made by agency representatives are accurate and reasonable, applicants are advised that information provided to the Committee plays an important factor in formulation of specific funding recommendations; furthermore, statements made by an applicant upon which the Committee relies in making a funding recommendation shall become binding and included as part of any contract which may be executed. Agencies should come prepared to justify their proposal within the priorities outlined previously.

Applicants are further advised that the Committee may request additional information on any part of the proposal after the scheduled interview. Applicants will be required to respond in writing within 5 days of such request.

City of Santa Barbara
Community Development Block Grant and Human Services
APPLICATION SCHEDULE AND PROCESS
Fiscal Year 2010-2011

Application Available..... Monday, November 2, 2009

Proposal Orientation Meeting..... Thursday, November 12, 2009
David Gebhard Public Meeting Room 1:30 – 3:00 p.m. (All Applicants)
Community Development Building
630 Garden Street

Application Due..... NO LATER THAN 3:00 P.M.
Purchasing Office **Wednesday, December 16, 2009**
****310 East Ortega Street**** *NO LATE APPLICATIONS
Santa Barbara, CA 93101 WILL BE ACCEPTED*

Staff Reviews Applications January 4-7, 2010

Staff Meets with Applicants **January 11, 12, 13, 14, 2010**

Applicants Turn in Corrections **January 15, 2010**

Applications to Printing January 18-21, 2010

Applications Reviewed by CDHSC January 26 - February 23, 2010

Applicant Interviews **February 2, 4, 9, 11, 16, 2010**
(4:00 - 9:00pm)

Funding Recommendations Available
to City Council and Public *Wednesday, February 24, 2010
(Tentative)

City Council Public Hearing
on Committee Recommendations *Tuesday, March 23, 2010
(6:00 P.M., Council Chambers) (Tentative)

City Council Action..... *Tuesday, March 23, 2010 or
*Tuesday, March 30, 2010 (Tentative)

Environmental Reviews April, 2010

Application to HUD..... May, 2010

Execution of Contracts..... June, 2010

Funds Available July 1, 2010

Contract Period **July 1, 2010 - June 30, 2011**

*Tentative Dates



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: Administration Division, Finance Department

SUBJECT: Fiscal Year 2009 General Fund Final Balancing And Adjustments

RECOMMENDATION:

That Council approve the adjustments to the Fiscal Year 2009 budget as shown in the Summary of Proposed Budget Adjustments in connection with the final balancing of Fiscal Year 2009.

DISCUSSION:

On August 25, 2009, staff presented to the City Council preliminary year-end revenues and expenditures for Fiscal Year 2009 for the General Fund. At that time, staff estimated the General Fund would end the year with a shortfall (expenditures over revenues) of approximately \$2.4 million.

Since then, the accounting records have been finalized and the City's independent auditors have completed their field work, and final numbers are now known. As shown in Attachment 2, Summary of General Fund Revenues and Expenditures for the fiscal year that ended June 30, 2009, expenditures exceeded revenues by \$2,591,693. This year-end shortfall is the result of significant revenue declines that began in September 2008.

As part of the mid-year review, staff projected revenues to be under budget by approximately \$6.3 million, and as a result Council approved a strategy to address the projected shortfall. Unfortunately, revenues continued to deteriorate during the second half of the year beyond staff projections, resulting in the additional shortfalls.

To avoid the use of General Fund reserves, in August staff outlined other options that could be considered to close the shortfall and avoid using additional General Fund reserves. The main options discussed with City Council at that time are listed below.

1. *Self-Insurance Fund Reserves* – Over the last several years, as a result of an improved safety record and fewer employee injuries, workers' compensation claims have gone down. In addition, the actuarially required reserves that are calculated by an independent actuary for outstanding claims have been lowered. As a result, actual reserve balances projected as of June 30, 2009 attributable to

the General Fund is approximately \$3.1 million and is available to help close the General Fund Fiscal Year 2009 shortfall.

2. *Street Sweeping Fund Reserves* – The Street Sweeping Fund was created approximately five years ago to fund the residential street sweeping program. The program is funded primarily from parking citations for vehicles parked in the marked no-parking areas on sweeping days. Over the years, revenues from parking citations have exceeded the program costs, in particular during the initial years as the program was expanding to more residential neighborhoods. As of June 30, 2009, the Street Sweeping Fund had approximately \$300,000 of reserves available over amounts required as an operating reserve.
3. *City Hall Allocation Fund Reserves* – This Fund is used to centrally account for utility and maintenance costs for City Hall and the Public Works/Community Development Department offices on 630 Garden Street. The fund currently has accumulated approximately \$450,000 to replace the City Hall telephone switch, which is expected to need replacement in approximately 5 years.

Staff recommends the following approach to balance the General Fund:

City Hall Allocation Fund Reserves	\$ 200,000
Street Sweeping Fund Reserves	200,000
Workers' Compensation Fund Reserves	<u>2,191,693</u>
Totals	<u>\$ 2,591,693</u>

Other Adjustments

In addition to closing the General Fund year-end shortfall, expenditures in the Police Department were in excess of appropriations by \$222,459, which requires an adjustment to eliminate this departmental deficit. The overage was primarily the result of over-hiring sworn officers to maintain staffing levels. Police Department revenues ended the year above budget by \$149,798, which could be used to fund a portion of the expenditure overage.

Therefore, staff recommends City Council increase budgeted revenue in the Police Department by \$149,798 and allocate \$72,661 from General Fund appropriated reserves in the Non-Departmental Program to fund the total \$222,459 needed in additional appropriations in the Police Department for Fiscal Year 2009. Appropriated reserves of \$700,000 were established in connection with the adoption of the Fiscal Year 2009 budget to serve as a contingency account. The savings from the unexpended portion of the appropriated reserves has been factored into the year-end shortfall of \$2,591,693.

BUDGETARY/FINANCIAL INFORMATION:

The recommended budget adjustments, if approved, would avoid the use of General Fund reserves through transfers from other funds. Those funds transferring monies to the General Fund would be impacted; however the reserves being transferred to the General Fund are in excess of what is currently required, and the reserves are appropriately allocable to the General Fund.

ATTACHMENTS: 1. Summary of Proposed Budget Adjustments
2. Summary of General Fund Revenues and Expenditures

SUBMITTED BY: Robert Samario, Interim Finance Director

APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA
Summary of Proposed Adjustments
Fiscal Year 2009

	<u>Estimated Revenues</u>	<u>Appropri.</u>	<u>Net</u>
GENERAL FUND			
Police Department			
Increase Appropriations Funded from Increased Revenues	149,798	149,798	-
Allocate Appropriations from Appropriated Reserves	-	72,661	(72,661)
Non-Departmental			
Allocate Appropriated Reserves to Police Dept.		(72,661)	72,661
Recognize Transfer of City Hall Allocation Fund	200,000	-	
Recognize Transfer from Street Sweeping Fund	200,000	-	
Recognize Transfer from Self-Insurance Fund	2,191,693	-	2,191,693
	<u>\$ 2,741,491</u>	<u>\$ 149,798</u>	<u>\$ 2,191,693</u>
SELF-INSURANCE FUND			
Recognize Transfers of W/C Reserves to General Fund	<u>\$ -</u>	<u>\$ 2,191,693</u>	<u>\$ (2,191,693)</u>
CITY HALL ALLOCATION FUND			
Recognize Transfer of Reserves to General Fund	<u>\$ -</u>	<u>\$ 200,000</u>	<u>\$ (200,000)</u>
STREET SWEEPING FUND			
Recognize Transfer of Reserves to General Fund	<u>\$ -</u>	<u>\$ 200,000</u>	<u>\$ (200,000)</u>

City of Santa Barbara
Summary of General Fund Revenues and Expenditures
Fiscal Year Ended June 30, 2009

Description	Revenues			Expenditures		
	Annual Budget	Actual	Variance	Annual Budget	Actual	Variance
Non-Departmental	\$ 82,114,122	\$ 77,255,270	\$ 4,858,852	\$ 3,819,865	\$ 3,088,508	\$ 731,357
Mayor & Council	-	-	-	857,792	808,082	49,710
City Attorney's Office	211,631	211,378	253	2,230,025	2,130,534	99,491
City Administrator's Office	253,128	232,535	20,593	2,324,004	2,147,045	176,958
Finance	865,930	851,573	14,357	5,239,090	4,909,797	329,294
Admin. Services	5,000	5,925	(925)	2,220,288	1,936,503	283,786
Comm. Development	5,634,734	5,768,185	(133,451)	11,496,500	10,765,630	730,870
Fire	4,015,015	4,244,066	(229,051)	21,271,213	20,663,823	607,391
Police	4,283,713	4,433,511	(149,798)	33,462,918	33,685,377	(222,459)
Public Works	4,938,131	5,112,019	(173,888)	7,234,204	6,745,728	488,476
Library	1,353,480	1,295,470	58,010	4,617,285	4,414,459	202,826
Parks & Recreation	4,547,417	4,474,769	72,649	16,055,940	15,180,909	875,031
	<u>\$ 108,222,301</u>	<u>\$ 103,884,701</u>	<u>\$ 4,337,600</u>	<u>\$ 110,829,125</u>	<u>\$ 106,476,394</u>	<u>\$ 4,352,730</u>

Final Results

Revenues	\$ 103,884,701
Expenditures	(106,476,394)
Net Deficit	<u>\$ (2,591,693)</u>



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: Chief's Staff, Police Department

SUBJECT: Appeal Of The Fire And Police Commission's Approval With Conditions Of The Nightclub Dance Permit Renewal For Velvet Jones

RECOMMENDATION:

That Council deny the appeal of Craig Jenkins and uphold the Fire and Police Commission's decision to approve the nightclub dance permit renewal with certain conditions for Velvet Jones at 423 State Street.

DISCUSSION:

The subject appeal involves the approval of a nightclub dance permit renewal for Velvet Jones at 423 State Street. On August 27, 2009, the Fire and Police Commission approved the dance permit renewal with the conditions recommended by the Police Department. The applicant, Craig Jenkins, has appealed the Fire and Police Commission's decision to impose conditions on the dance permit. (See Attachment 1)

BACKGROUND:

Velvet Jones was originally issued a dance permit in June 2001. The dance permit was issued without conditions. In February 2008, the Santa Barbara Municipal Code provisions pertaining to nightclub dance permits was amended to include a requirement for dance permit holders to renew the permits annually. The June 2009 renewal application submitted by Velvet Jones was the first such renewal application for the premise.

On June 2, 2009, Craig Jenkins ("Applicant") submitted a nightclub dance permit renewal application to the Santa Barbara Police Department for the property located at 423 State Street. Mr. Jenkins is also the owner of the nightclub at that location, dba "Velvet Jones." The Applicant obtained all necessary owner signatures for the application, and the Applicant and Ryan Purdy, the nightclub's General Manager and Security Manager, underwent Live Scan fingerprinting, as required by Santa Barbara Municipal Code § 5.20.050(A)(12).

Council Agenda Report

Appeal Of The Fire And Police Commission's Approval With Conditions Of The Nightclub Dance Permit Renewal For Velvet Jones

October 27, 2009

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Police Department records indicate that there have been 22 incidents reported to the Police Department involving Velvet Jones from August 7, 2007 through August 7, 2009, all of which generated citations. Of those, 6 reflect positively on the business, that is, 4 incidents in which club security reported false ID's to the Santa Barbara Police Department, and 2 incidents in which intoxicated patrons were either refused entry or ejected from the premise. Two of the incidents were reports of lost property within the club, and are considered incidental to the location. The remaining 15 incidents, some of which are considered "neutral" by the Police Department, include 4 incidents in which a security member was the victim of an altercation with patrons; 3 battery reports involving altercations between patrons and security; a battery report in which a patron complained of excessive force by security; an incident in which patrons reported their belief that their drinks had been tampered with or drugged; an incident in which a patron vandalized the club's sound equipment; an incident in which club staff reported a patron who possessed a concealed knife; 1 Open Container report in which a patron left the bar with an opened beer; an incident, currently under review by Alcoholic Beverage Control (ABC), pending video surveillance footage which, at the time of this report, has not been provided to ABC by the nightclub, in which nightclub staff may have served alcohol to an overly-intoxicated patron; and an incident, reported to the Police Department by club staff, in which a minor was found in possession of alcohol inside the nightclub during the nightclub's "18 and over" nights, after having obtained a wristband in the club indicating that the patron was over 21.

In addition to premise-specific incidents pertaining to minors and alcohol during the time frame in which the premise held a Type 47 license (general alcohol, restaurant), there were 13 additional incidents involving minors and alcohol on the 400 block of State Street for the one year period from August 2008 through August 2009: 2 reports of public intoxication, 6 incidents in which intoxicated minors were cited for urinating in public, and 5 incidents in which intoxicated minors between the ages of 18 and 20 were admitted to the Sobering Center. There is no allegation that the minors involved in these incidents were served or consumed alcohol at Velvet Jones prior to or during these incidents.

On August 27, 2009, the nightclub dance permit renewal request was heard at the Fire and Police Commission ("the Commission") meeting.

Fire and Police Commission Action:

At the Commission meeting, Police Department staff recommended that the following conditions be added to the dance permit to enhance public safety and mitigate noise and area crime issues:

1. Music and/or entertainment shall not be audible beyond 50 feet from the premise in any direction.
2. The rear door must be kept closed, but unlocked, at all times during the hours of dancing.

Council Agenda Report

Appeal Of The Fire And Police Commission's Approval With Conditions Of The Nightclub Dance Permit Renewal For Velvet Jones

October 27, 2009

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3. Except in the case of emergency, no patrons shall enter or exit the premise through the rear patio door.
4. No patrons may loiter in the rear alleyway.
5. A minimum of 3 security guards must be on duty during hours of dancing Sunday through Wednesday nights.
6. A minimum of 5 security guards must be on duty Thursday, Friday, and Saturday nights from 10:00 pm until the close of business.
7. No live entertainment, dancing, or the use of an amplifying system or device shall be permitted on any patio or outdoor area.
8. Petitioner(s) shall police the area under their control once an hour to prevent the loitering of persons about the premises.
9. Licensee is responsible for maintaining an orderly line of patrons awaiting entry into the premises. The queue of perspective patrons must not block passage of pedestrians on the public walkway, nor may it extend into any nearby street.
10. Dancing is prohibited after 11:00 pm nightly when patrons under the age of 21 years of age are on premise.

Mr. Jenkins and Mr. Purdy both spoke in opposition to the conditions recommended by the Police Department. They stated that such conditions would increase their payroll, would put them in a double-jeopardy situation because some of the recommended conditions mirror conditions on the business's ABC liquor license, and argued that the conditions seemed to be unfair for a business which is well-run.

Two members of the public, Kay Morter, general manager of the Holiday Inn Express, and Suzie Thompson, owner of a residence on the 400 block of Fig Avenue, spoke in support of the conditions recommended by the Police Department.

Following the discussion, the Commission voted unanimously to approve the permit with the conditions recommended by the SBPD. (See Attachment 2)

Appellant's Position:

Craig Jenkins, Applicant, filed an appeal protesting the conditions imposed on the dance permit by the Commission (see Attachment 1). In summary, the Applicant appealed on the basis of the following:

- The business has operated responsibly for 9 years without conditions.
- Some of the imposed conditions are similar, but not identical, to those conditions imposed on the premises by the ABC for the liquor license, thereby potentially subjecting the business to "double jeopardy" for violations of these similar conditions.
- Some conditions will increase business costs.
- Some conditions are already enforced without being formally imposed.
- The condition to limit dancing to 11 pm when patrons under 21 years old are on premise would cause a dramatic decrease in revenue and would make it difficult

Council Agenda Report

Appeal Of The Fire And Police Commission's Approval With Conditions Of The Nightclub Dance Permit Renewal For Velvet Jones

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for the nightclub to meet the ABC standard of having greater food sales than alcohol sales.

Staff's Position:

The Entertainment District has a high concentration of ABC licenses and dance permits as compared to other areas of the City. As such, it requires considerable Police resources on most evenings from approx 10:00 pm to 3:00 am. In considering this renewal application, the Santa Barbara Police Department reviewed not only the crime statistics for this specific premise, but for the surrounding area as well. This review revealed, as indicated by the 13 incidents listed above, that "18 and over" nights generally contribute to increased criminal activity in the downtown area.

Per SBMC §5.20.080(A)(9), conditions may be imposed upon nightclub dance permittees when "Such other conditions or measures related to public health, safety, and welfare as the Chief of Police may deem appropriate which may be needed to maintain appropriate security within the establishment (and public areas immediately adjacent to the establishment) or needed to minimize adverse noise impacts on the neighboring property owners or residents." Therefore, as nightclub dance permits have come up for renewal, it has been the practice of the Fire and Police Commission, under the recommendation of the Police Department, to impose similar conditions on each nightclub dance permit, thereby creating substantial uniformity among the dance permits in the downtown area. In keeping with this practice, Police Department staff believes that all of the conditions at issue in this appeal, which are similar to those imposed on other downtown-area nightclubs, including the condition that prohibits dancing after 11:00 pm nightly when patrons under the age of 21 years are on premise, will mitigate some of the negative impacts the operation of the nightclub has on the surrounding area.

CONCLUSION:

Staff recommends that the Council deny the appeal and uphold the decision of the Fire and Police Commission to approve the nightclub dance permit renewal with conditions as set forth herein.

ATTACHMENTS:

1. Letter by appellant Craig Jenkins
2. Copy of Velvet Jones' nightclub dance permit renewal letter.

PREPARED BY: Riley Harwood, Police Sergeant

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrator's Office

RECEIVED

Velvet Jones
423 State Street
Santa Barbara, CA 93101

SEP 09 2009
2:40 pm BA
CITY CLERK'S OFFICE
SANTA BARBARA, CA

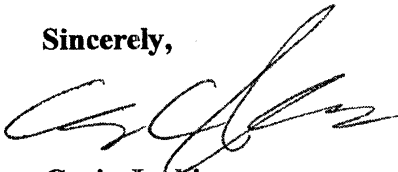
Meeting Date: September 1st, 2009

Velvet Jones is a live music venue that was established in December of 2000. In the last 9 years, we have only received 2 citations; the most recently in 2005. We have proved to the Police and Fire Commission beyond a shadow of a doubt that we are not a part of the problem that these restrictions were set out to solve. After extensively reviewing all of our "22 offenses" in the last 2 years, not one of them proved us to be negligent or incompetent in running a safe and efficient nightclub. In reviewing the 13 additional offenses that occurred on the 400 block involving minors and alcohol, 11 occurred on nights we weren't open and the remaining 2 occurred on nights that we were 21+. We have one of the best track records on State Street and are being treated the same as the nightclub with the worst track record. Even after supportive testimony from Captain Torres, Sgt. Harwood, and Kay Mortar from the Holiday Inn directly behind us, the Commission still unanimously voted for restriction implementation.

We are appealing these restrictions that have been put on our dance permit by the City of Santa Barbara. Restrictions 1-4, and 7 have already been put on our liquor license and would put us in a double jeopardy situation in the event that one of them is violated. Restrictions 5 and 6 are forcing me to increase my payroll regardless of how many patrons we have in the building. Restrictions 8 and 9 we enforce anyway. Restriction 10 would make it very difficult for us to honor previous restrictions on our ABC license regarding percentages of alcohol to non-alcohol sales, in addition to cutting our annual revenue by approximately 30%.

Keeping underage patrons away from alcohol is a top priority for us. We are committed to providing a safe environment for all to come and enjoy live music and would like to continue for years to come. In conclusion, we feel that our dance permit should remain unrestricted and that the restrictions on our liquor license are adequate to helping keep the peace in the lower State Street corridor. Thank you.

Sincerely,



Craig Jenkins
Velvet Jones
(805) 637-8148

September 1, 2009

Craig Jenkins
Velvet Jones
423 State St.
Santa Barbara, CA 93101

RE: Dance Permit Renewal for Velvet Jones, 423 State Street, Santa Barbara, CA 93101

Dear Mr. Jenkins:

Your Dance Permit at **423 State Street** has been renewed per SBMC Section 5.20.110. The new expiration date for this permit is June 30, 2010. The following conditions apply:

1. Music and/or entertainment shall not be audible beyond 50 feet from the premise in any direction.
2. The rear door must be kept closed, but unlocked, at all times during the hours of dancing.
3. Except in the case of emergency, no patrons shall enter or exit the premise through the rear patio door.
4. No patrons may loiter in the rear alleyway.
5. A minimum of 3 security guards must be on duty during hours of dancing Sunday through Wednesday nights.
6. A minimum of 5 security guards must be on duty Thursday, Friday, and Saturday nights from 10:00 pm until the close of business.
7. No live entertainment, dancing, or amplifying system or device shall be permitted on any patio or outdoor area.
8. Petitioner(s) shall police the area under their control once an hour to prevent the loitering of persons about the premises.
9. Licensee is responsible for maintaining an orderly line of patrons awaiting entry into the premises. The queue of perspective patrons must not block passage of pedestrians on the public walkway, nor may it extend into any nearby street.
10. Dancing is prohibited after 11:00 pm nightly when patrons under the age of 21 years are on premise.

This permit is strictly limited to allow only the occupant load for the premises as is approved by the Santa Barbara City Fire Department. Business shall be conducted in a manner that will not violate any provisions of the California Alcoholic Beverage Control Act, providing against the sale of alcohol to minors (§25658) maintaining the public health, morals, convenience and safety (§25601); and taking reasonable steps to correct any objectionable conditions on the premises and immediately adjacent to the premises (§24200).

For the protection of public health and safety, no dancing shall take place in or upon any location, area or surface other than those locations, areas and surfaces that have been approved for occupancy load/dancing by the Fire Department or Building and Safety Department. Dancing in or upon an unapproved location, area or surface shall be deemed a violation of the terms and conditions of the permit and cause for the review, suspension, amendment or revocation of this permit at the discretion of the Fire & Police Commission Board. If a change in the location of approved dancing areas is desired, the applicant must re-apply to the Fire and Police Commission for approval of these changes. Such application shall require approval of the Fire Department and Building and Safety prior to being accepted for review by the Fire and Police Commission Board.

Any complaints about noise, litter, traffic problems, disturbances, damage to property, injuries to persons, or failure to cooperate with peace officers under circumstances related to the operation of this business will subject this permit to review, amendment, suspension, or revocation, at the discretion of this Commission. If the business changes ownership or address, a new permit must be obtained from this Commission and a new permit must be obtained from the Tax and Permit Office at City Hall. This permit may not be transferred to any successor interest in the business. Any other change must be reported in writing to the Commission.

NIGHTCLUB DANCE PERMIT APPEALS. The denial or approval (including any conditions imposed thereon) of any application for a Nightclub Dance Permit under this Chapter by the Board of Fire and Police Commissioners may be appealed to the City Council by the applicant or by any interested person pursuant to the provisions of Section 1.30.050 of this Code. This right of appeal shall also include an action taken by the City with respect to the renewal or non-renewal of a Nightclub Dance Permit.

A copy of Santa Barbara Municipal Code section 1.30.050 is attached for your reference.

This permit is issued under the authority of the Santa Barbara Municipal Code, Chapter 5.20, § 5.20.010 through §5.20.190, inclusive, and subject to all other applicable City, County and State laws, ordinances, rules, and regulations.

Please note instructions for posting the enclosed Dance Permit.

Per SBMC §5.20.120 - Display of Dance Permits.

"A dance permit issued pursuant to this Chapter shall at all times be publicly displayed in a conspicuous place within the dance establishment for which it was issued. In addition, a copy of the Permit and any conditions of approval shall be immediately produced and made available upon the request of any City Fire Inspector or City Police Officer." (Ord. 5445, 2008)

FIRE & POLICE COMMISSION

APPROVED

Barbara A. Sansone
Secretary to the Commission

Camerino Sanchez
Chief of Police

cc: Tax & Permit Office
City Attorney
Police Special Investigations
Fire & Police Commissioners



Agenda Item No. _____

File Code No. **440.05**

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 27, 2009

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Fire Chief Appointment

RECOMMENDATION:

That Council hold a closed session, pursuant to Section 54957 of the Government Code, to consider a public employee appointment.

Title: Fire Chief

SCHEDULING: Duration, 20 minutes; anytime

REPORT: Anticipated

PREPARED BY: Linda Gunther, Administrator's Office Supervisor

SUBMITTED BY: James L. Armstrong, City Administrator

APPROVED BY: City Administrator's Office